

LAND DEVELOPMENT ORDINANCE

Assessment and Policy Directions Report

**Prepared for
The City of Greensboro,
North Carolina**

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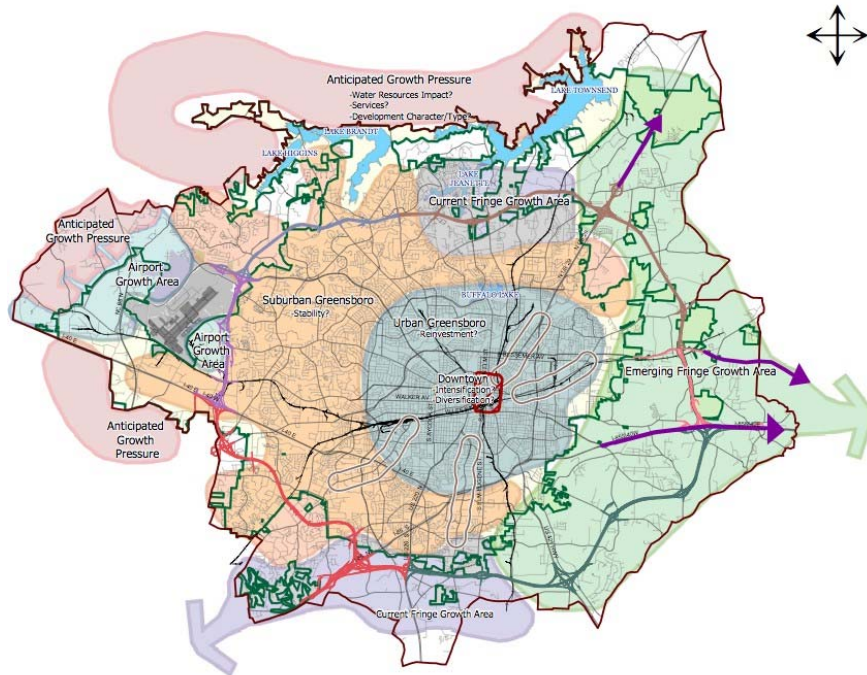
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INTRODUCTION

The rewrite of the current Unified Development Ordinance (UDO) was initiated in 2004 to update and improve City building and land use regulations that hinder desirable development. The current phase of the project involves evaluating the City's existing approach to regulating development, and formulating alternative strategies that would better achieve the City's development objectives, consistent with City policies and applicable requirements of state and federal law. Rather than throwing out the entire current ordinance and starting from scratch, this assessment is undertaken with an eye to building on the best of the current UDO and complementing it with updated rules, regulations, and procedures that further City policies and goals.

This *Assessment and Policy Directions Report* presents the consulting team's summary of substantive issues to be addressed in the UDO revision process. It is based on what the consultant team has heard from public officials, City staff and concerned citizens¹, as well as our own appraisal of existing UDO merits and constraints. The final outcome of this project will be a new Land Development Ordinance (LDO). The updated LDO has not been prepared, nor any parts of it. The observations and recommendations in this report are intended to prompt discussion and feedback so that the final ordinance will best meet the unique needs of the Greensboro community.

The purpose of this phase of the project is to reach agreement on the types of organizational and substantive changes to be addressed as part of the code update before the actual code drafting begins. It should be understood from the beginning that this report does not, and should not, represent an exhaustive listing of all of the anticipated changes to the City's land development regulations. To date, the drafting team has received hundreds, if not thousands, of discrete recommendations for incorporation into the new LDO. Many of these are minor, such as clarification of a particular standard, while others have larger policy implications, such as a suggestion to "consolidate residential zoning districts and allow more uses by right." These and any other recommended changes will be considered based on open discussion, sound planning principles, and compatibility with Greensboro's planning policies and goals.



Trend Growth Scenario Map

¹ On April 5, 6, and 7, 2005 the consultant team spoke with over 100 individuals in approximately 20 stakeholder interview sessions. This was complimented by three public workshops/open houses with over 50 attendees held on April 7, 12, and 14 in various locations around the City.

KEY GOALS

Based on information presented in the City's Scope of Services, discussions with elected and appointed officials, input received from local interest groups, and comments from City staff, the consultant team believes the key goals of the update are to:

- Support the implementation of the *Connections 2025 Comprehensive Plan*;
- Make the regulations easier to use, understand and administer;
- Streamline the development review process;
- Provide for alternative development opportunities;
- Encourage mixed-use development in targeted areas;
- Remove barriers to context-sensitive redevelopment and infill;
- Protect the character of existing residential neighborhoods;
- Conserve and protect existing natural resources; and
- Encourage high-quality development throughout the community.

BASIS OF OBSERVATIONS AND RECOMMENDATIONS


The authors of this report view development regulations as a tool for implementing a community's collective planning vision. This vision flows from the substantial and on-going citizen-based planning work that has come to define Greensboro. During the early phases of this project City staff and the consultant team conducted in-depth reviews of various plans and policy documents and held numerous interviews with elected officials, City staff, and concerned citizens representing a variety of interests throughout the community. As the UDO rewrite progresses, City staff and the consultant team will be working most closely with the City Council and the council-appointed Citizen's Advisory Team composed of neighborhood and civic leaders, planners, developers, attorneys, bankers and public officials. Its diverse makeup reflects the fact that these new regulations will affect everyone in the community. Therefore, everyone's views and opinion must be heard and considered.

By design, the report focuses on where the current UDO may be deficient rather than concentrating on the virtues of the existing regulations. It would be a mistake for readers to infer that the City of Greensboro faces an imminent regulatory crisis or that the City's regulations are not as "good" as other communities. No such judgment is made or implied here. On the other hand, the consultant team does believe that significant improvements can be made with the new LDO. Regulations, like the plans they are intended to implement, require periodic revision to keep pace with cultural, economic and technological changes. The problems identified in this report are not necessarily unique to Greensboro. But there are problems that, if not addressed, will likely lead to increased

frustration on behalf of public officials, citizens, businesses, developers and staff. The commissioning of this project demonstrates the City's awareness of these issues.

The recommendations and observations included in the report are based on:

- Comments and input from a wide array of individuals and interest groups;
- Staff and consultant analysis of Greensboro's existing UDO regulations;
- Analysis of the City's plans and policy documents related to land development;
- Informal surveys of development patterns that exist throughout the City; and
- The consultant team's experience with and knowledge of the best practices of Greensboro's peer cities.

Key concepts introduced in the report are highlighted by a starburst symbol: 

THE NEED FOR CHANGE

The City's first zoning ordinance was adopted in 1926 with only a few zoning categories. Major revisions occurred in 1954. The next major overhaul did not occur until 1992 with the integration of zoning and subdivision standards into one manual (the current *Unified Development Ordinance*). The other, perhaps more significant, change occurring during the 1992 rewrite was the consolidation of Greensboro's land development regulations with those governing development in neighboring High Point, Jamestown, and Guilford County. Since the 1992 adoption of the UDO, each jurisdiction has also adopted a number of different development ordinance provisions reflecting the unique character of each community.

The current regulations have tended to promote separation of uses, "sub-urban" style growth, and auto-oriented development patterns to the exclusion of other patterns of development. Greensboro has made tremendous advances recently with many of the newer provisions contained in the ordinance, such as those guiding Traditional Neighborhood Development. However, these improvements in targeted portions of the ordinance must be integrated and expanded to the entire document. Greensboro's new regulations must respect development patterns that are in place, while also reflecting the needs of a 21st Century city. As the rewrite project moves forward into the ordinance drafting phase of the project, the drafting team will work to address the unique challenge of offering regulations that enable both redevelopment of close-in neighborhoods and new development in outlying (greenfield) areas.

Throughout the project, the consultant team will be working with City staff, City Council and other elected officials, and a Citizen's Advisory Team (CAT). The CAT is composed of volunteers, appointed by the City Council, who represent the constituencies who will be impacted by the new regulations. Using multiple review entities ensures a final code that balances the many priorities and perspectives of the Greensboro community.

PLANNING INITIATIVES

In May of 2003, Greensboro adopted the **Connections 2025 Comprehensive Plan**. This excellent document is the result of two years of intensive work by citizens, City staff, and elected and appointed officials. It “articulates an overall *vision* for the place citizens wish Greensboro to be in 2025, establishes *goals and policies* in support of that vision, and lays out a specific *action plan*...” to implement those goals and policies. The Plan is intended to serve as a dynamic reference for decision makers as they consider the many growth-related questions that will impact the future of Greensboro. While not all of the objectives identified in the Plan will lead to specific changes to land use regulations, it is important to include those with potential implications for the new LDO. The following table identifies policy objectives contained in the Connections 2025 Plan that are of particular relevance in this ordinance revision project.

| PLANNING INITIATIVES | | |
|--|--|--|
| Policy | Reference | Comment |
| Infill | | |
| Establish criteria to define desirable infill development | Land Use 4A.1 | See “Protect Existing Neighborhoods” p. 21; “Mixing Uses” p. 27; “Examine Transitions Between Uses” p. 12 |
| Revise City regulations and policies to facilitate infill development. | Land Use 4A.2 | |
| Establish standards, guidelines, and incentives for compact, infill and mixed-use development forms. | Land Use 4C.1, 2, & 3 | |
| Identify potential opportunities and selectively target, plan and promote development/reuse initiatives. | Land Use 4D. | See “Encourage Rehab, Reuse, and Redevelopment” p. 15 |
| Provide incentives for reintroduction of neighborhood businesses and services into older neighborhoods | Land Use 4D.5 | See “Promoting Neighborhood Businesses” p. 30 |
| Promote diversification and intensification of Downtown Greensboro | Land Use 4E. | See “Encourage a Variety of Residential Structure Types” p. 20; “Addressing the Character of Commercial and Mixed-use Areas” p. 24 |
| Promote compact development. | Land Use 4G.1 | See “Provide Alternatives to Cookie-Cutter Developments” p. 19 |
| Growth | | |
| Establish a “tiered” approach that promotes efficient growth and land use patterns | Land Use 4F.2 | See “Coordinate Utility Extension and Annexation with Growth Strategy” p. 31; “Make More Efficient Use of Land” p. 19 |
| Proactively target infrastructure (water/sewer) extensions to support desired land use patterns. | Land Use 4F.3 / Community Facilities, Services, and Infrastructure 9A. | |
| Establish enhanced regulations to promote open space dedication in new developments | Community Character 5A.3 | See “Natural Resource Protection Through Subdivision” p. 32. |

| PLANNING INITIATIVES | | |
|---|--|---|
| Policy | Reference | Comment |
| Environmental Protection | | |
| Create a "Conservation Development" Zoning District | Land Use 4G.3 | See "Make More Efficient Use of Land" p. 19; "Natural Resource Protection Through Subdivision" p. 32 |
| Strengthen Stream Corridor protection and Floodplain standards | Community Character 5B.3-4 | See "Apply Subdivision Patterns to Protect Natural Resources" p. 32; "Developing <i>With Nature</i> " p. 36 |
| Enhance stormwater standards to manage runoff and improve water quality | Community Facilities, Services, and Infrastructure 9B.4-5 | |
| Offer incentives for protecting existing trees | Community Character 5B.1 | See "Landscaping, Buffering, and Tree Protection" p. 36 |
| Community | | |
| Enhance city-wide design standards for new development / Improve corridor design standards and implementation tools | Community Character 5F.2- 4 | See "Consolidate Districts" p. 12; "Examine Commonality of Zoning Overlay Districts" p. 13; "Addressing the Character of Commercial and Mixed-use Areas" p. 24 |
| Explore regulatory changes and design standards to protect existing neighborhoods | Housing and Neighborhoods 6A.1& 4 | See "Protect Existing Neighborhoods" p. 21; "Encourage Rehab, Reuse, and Redevelopment" p. 15 |
| Implement flexible incentives for encouraging a mixture of housing types and price ranges | Housing and Neighborhoods 6C.1-3 | See "Encourage a Variety of Residential Structure Types" p. 20; "Require More Sophisticated Buffers" p. 38 |
| Make it easier to start and operate small businesses | Economic Development 7A.6 | See "Making it Easier to Use and Understand" p. 6; "Clarify the Approval Process" p. 8; "Streamline Development Review" p. 9; "Promoting Neighborhood Businesses" p. 30 |
| Transportation | | |
| Develop pedestrian and bicycling facilities | Transportation 8B.2 | See "Connecting People and Places" p. 33; "Pedestrian Streets" p. 24 |
| Require dedication of land along designated streams and missing links | Community Character 5A.4 & Transportation 8B.4 | See "Pedestrian Connectivity" p. 33 |
| Emphasize the need for transit-supportive development at major activity centers | Transportation 8C.3 | See "Activity Centers" p. 29; "Using Density to Leverage Mixed-Use and Transit" p. 33 |
| Modify development standards to support transportation objectives | Transportation 8F. | |
| Facilitate shared parking where appropriate | Transportation 8E.3 | See "Develop an Alternative Parking Plans" p. 1 |

ORGANIZATION, FORMAT AND USABILITY

Have you ever read the City's Unified Development Ordinance? Not cover to cover, but maybe a few pages in an effort to answer a basic question, such as "What could be built on that vacant lot across the street?" or "Am I allowed to construct a rear addition to my house?" If so, you probably found it to be fairly difficult to read.

The new regulations should be easier to use and understand. All ordinance provisions need to be made simpler and more predictable. Nearly everyone the consultants have spoken to agrees. In fact, one of the most common themes of the public input process is how difficult the current ordinances are for the average person to use and understand. Even those who administer the rules on a daily basis are sometimes unclear over the meaning of some ordinance provisions.

Given the important role development regulations play in shaping the City, the new document and on-line code should be logically organized, well formatted, and easy to use. After all, zoning and subdivision regulations can't be effective if people do not understand them. The new ordinance needs to be a user-friendly reference document that is laid out so people can find the information they need and understand it once they've found it (see also, *The Digital Ordinance*, p. 7).

MAKING IT EASIER TO USE AND UNDERSTAND

Like a lot of regulations, the existing ordinances are not written in plain English. It often takes several sentences to say what could be said in one. It sometimes uses outdated phrases to express commonplace ideas. By attempting to be cautious and to anticipate a variety of situations, it ends up being verbose. The new LDO can and should do better with the new regulations.

A Users' Guide

Not everyone is a zoning expert, and the layout of a modern ordinance should recognize this fact. A users' guide needs to be located inside the front cover (and in a side bar in the online version)—to point users in the general direction of the information they need.

In order to be really useful, this users' guide should be supplemented with more detailed information, such as handouts and other reference guidelines available in departments that deal with zoning and subdivision matters. Although geared toward very basic questions, these guides can go a long way toward addressing the needs of casual ordinance users.

A Clear Table of Contents and Index

The new ordinance document should have a good table of contents and index— something which could be improved from the current UDO. A good index can help direct users to the most important terms and concepts, as well as relevant examples of their use.

These are basic document management tools that can make ordinances easier to use for both citizens and professionals.

An Inviting Page Layout

The new ordinance should use large, distinct typefaces for section titles and subtitles. Indented text can indicate various levels within the document. Generous white space and strong graphics will be used to enhance the document's visual appearance and improve its usability.

Tables, Charts, and Illustrations

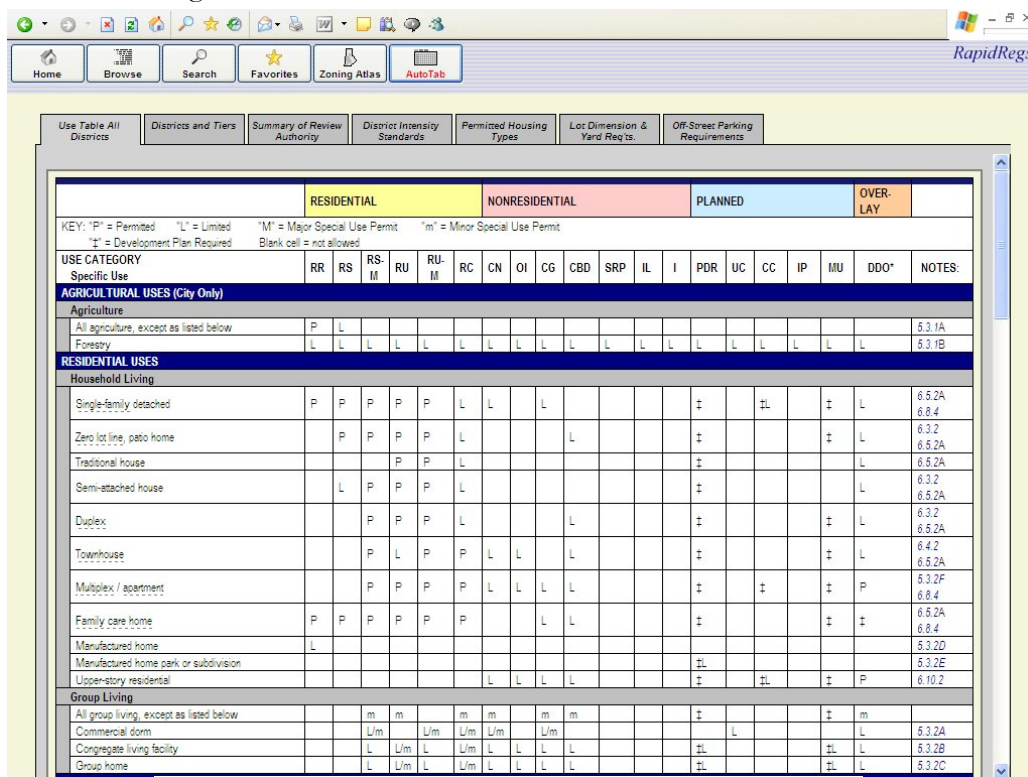
Many existing standards and requirements can be best presented by using tables or charts. This would eliminate redundancies, as well as the inevitable inconsistencies and internal conflicts that occur when the same standards are presented in multiple sections of an ordinance. The use of tables can also substantially reduce the overall sizes of the printed and on-line documents.

User friendly drafting techniques:

- Plain English
- Tables, charts
- Illustrations/graphics
- Detailed index and contents

The Digital Ordinance

Following completion of the drafting phase of the ordinance revision process, an on-line version will be created that transforms the new LDO from a flat, two-dimensional written document into an interactive computer-based version that includes hyper-links making it easy to use for the general public, the development community, and staff. This online system will link the new ordinance directly to the Comprehensive Plan and incorporate links between text, tables, maps, and illustrations. Users will be able to do easy keyword searches and a floating toolbar on the top of the web page will provide instant access to a number of important features. The example below shows an online use table that allows the user to click on any cell to find development standards for a particular use or zoning district.



| USE CATEGORY | Specific Use | RR | RS | RS-M | RU | RU-M | RC | CN | OI | CG | CBD | SRP | IL | I | PDR | UC | CC | IP | MU | DDO* | NOTES |
|--|---|----|----|------|-----|------|-----|-----|----|-----|-----|-----|----|---|-----|----|----|----|----|------|-----------------|
| AGRICULTURAL USES (City Only) | | | | | | | | | | | | | | | | | | | | | |
| Agriculture | All agriculture, except as listed below | P | L | | | | | | | | | | | | | | | | | | 5.3.1A |
| | Forestry | L | L | L | L | L | L | L | L | L | L | L | L | L | L | L | L | L | L | L | 5.3.1B |
| RESIDENTIAL USES | | | | | | | | | | | | | | | | | | | | | |
| Household Living | | | | | | | | | | | | | | | | | | | | | |
| Single-family detached | | P | P | P | P | P | L | L | | | | | | | | | | | | | 6.5.2A 6.8.4 |
| | Zero lot line, patio home | | P | P | P | P | L | | | | L | | | | | | | | | | 6.3.2 6.5.2A |
| Traditional house | | | | P | P | L | | | | | | | | | | | | | | | 6.5.2A |
| | Semi-attached house | | L | P | P | P | L | | | | | | | | | | | | | | 6.3.2 6.5.2A |
| Duplex | | | | P | P | P | L | | | | L | | | | | | | | | | 6.3.2 6.5.2A |
| | Townhouse | | | P | L | P | P | L | L | L | | | | | | | | | | | 6.4.2 6.5.2A |
| Multiplex / apartment | | | | P | P | P | P | L | L | L | | | | | | | | | | | 5.3.2F 6.8.4 |
| | Family care home | P | P | P | P | P | P | | | L | L | | | | | | | | | | 6.5.2A 6.8.4 |
| Manufactured home | | L | | | | | | | | | | | | | | | | | | | 5.3.2D |
| | Manufactured home park or subdivision | | | | | | | | | | | | | | | | | | | | 5.3.2E |
| Upper-story residential | | | | | | | | L | L | L | L | | | | | | | | | | 6.10.2 |
| | Group Living | | | | | | | | | | | | | | | | | | | | |
| All group living, except as listed below | | | | m | m | | m | m | | m | m | | | | | | | | | | |
| | Commercial dorm | | | L/m | | L/m | L/m | L/m | | L/m | | | | | | | | | | | 5.3.2A |
| Congregate living facility | | | | L | L/m | L | L/m | L | L | L | L | | | | | | | | | | 5.3.2B |
| | Group home | | | L | L/m | L | L/m | L | L | L | L | | | | | | | | | | 5.3.2C |

Sample Hyperlinked Use Table

DEVELOPMENT REVIEW

One of the most pressing concerns (from both the public and staff) was the development approval process. When considering applications/development plans consistent with the Comprehensive Plan and future land use map, processing of most development permits should be a simple function that flows smoothly and quickly.

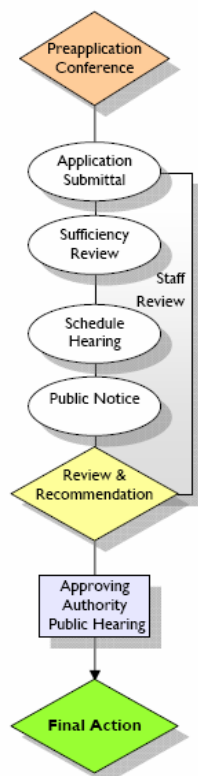
The subdivision review process used by the Technical Review Committee (TRC) is viewed by some as a model that works well. Interview participants liked the fact that most of the application issues could be cleared up quickly because all of the reviewers were working collaboratively using a computerized system that allows each reviewer to enter review comments electronically into one centralized system. While some offered suggestions for modification or improvement of the TRC process, there was general support for the current TRC structure and approach. Staff has recently instituted some limited improvements to the TRC process.

CLARIFY THE APPROVAL PROCESS

The current organization of the UDO fails to clearly set forth the process for many required permits and approvals. Some of the approval procedures are located in Article 3, Permits and Procedures while others are distributed throughout the document. To clarify the approval process the consultant team recommends the following:

Provide a Clear Description of the Application Process

Many stakeholders, especially those representing smaller local businesses, developers, and residents, expressed frustration that there was no clear guide for navigating the ordinance, submitting an application, or knowing who to contact with questions. The new LDO should be crafted with an emphasis on making any application process as clear as possible, including graphic representations in flowchart form (see example on left) so the applicant will know ahead of time the different steps in the review process.



Consolidate All Procedures

Provide a separate chapter that identifies all required permits and approvals, detailing the criteria and procedure for obtaining the required permit or approval. Currently, procedures are contained in: Article 3, Permits and Procedures; Article 4, Zoning; Article 6, Subdivisions; and Article 9, Administration. Furthermore, many cross-references to different procedural requirements are vague (e.g. “in accordance with the requirements and procedures of Article III [Permits and Procedures]”).

Consolidate All Development Review Bodies

Provide a separate chapter that summarizes all development review bodies, such as the Enforcement Officer, Planning Director, Technical Review Committee, Planning Board, Zoning Commission, Board of Adjustment and City Council.

Each section should include membership requirements (if applicable) and powers and duties. Chapter 9 of the current UDO describes most, but not all of the different review entities.

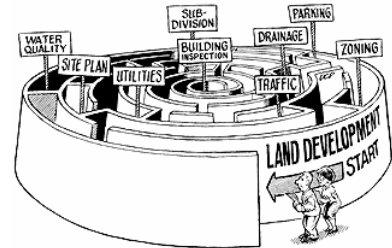
Extract Procedures from District Standards

Many procedures are located within the specific discussion on district standards. Furthermore, standards applicable to different districts are intertwined with the actual procedures. The standards and requirements for each district (including overlays and planned developments) would be described more succinctly if they were not mixed into the permit application requirements.

STREAMLINE DEVELOPMENT REVIEW

For any land development regulation to be effective, the development review process must be efficient, and the community's substantive planning and development goals must be embedded in the development review standards. Efficient development review is achieved when the framework for permitting is not redundant, the procedures and review standards result in a reasonable degree of certainty, and the review process for each permit type is streamlined to the greatest degree possible.

Following are a number of suggestions for improving the development review process.



Ensure Applications are Complete before Review Begins

In order to guarantee a more efficient review process, everything should be in order before the actual review begins. It is our understanding that some of the delay in the permitting process can be traced to incomplete applications that undergo a “back-and-forth” between staff and the applicant due to incomplete applications. In this case, the onus is on the City to provide clear application requirements for the permit under consideration. Similarly, the applicant should understand that incomplete applications will not be reviewed and therefore they should support an efficient review process by complying with all application requirements.

Expanding the list of permits requiring a pre-application conference as part of the process will also provide a forum where any questions may be clarified. Currently, it would appear that a pre-application conference is required only for a Transportation Impact Study and it is suggested prior to Preliminary Plat submittal and for major rezonings.

Determine the Appropriate Level of Review

It is important to note that determining the appropriate level of review for specific types of proposals must be integrated with the revision of development standards. It is understood that any changes to the review and approval procedures must continue the City's policy of uniform application of standards for all applicants. This guiding principle will serve as a touchstone as the drafting team considers changes to the permitting process to streamline review procedures and reduce confusion (see, “Allow for Minor Changes at the Administrative Level,” below). The drafting team envisions the evolution of this process during review of revised LDO language.

Attached in the Appendix is a summary of existing development review authority in the City. The table will serve as the starting point for discussion with City officials to determine the appropriate level of review for all procedures. A cursory review suggests that terms used to describe who makes decisions may need to be updated to clarify the different review and decision entities. Depending on the ultimate changes, this may involve moving review or approval authority from one entity to another, consolidation of review entities, or introduction of new review entities. Also, the

consulting team heard from many that the “Enforcement Officer” is often a different person (or a representative of a different department or agency) based on the procedure in question.

Allow for Minor Changes at the Administrative Level

It is common for ordinance provisions to allow for minor changes at the administrative level. Often the process allows for a specified set of numerical standards to be varied without requiring a more formal variance through the Board of Adjustment. This would commonly include parking standards, yard setbacks and other elements that are currently required to go to the Board for minor variations from the standard. Currently, the Technical Review Committee (TRC) has the authority to approve Modifications to certain standards, while a Variance must be approved by the Board of Adjustment. For some significant changes that do not rise to the level of a Variance, the TRC may be the appropriate approval authority. However, we recommend the new ordinance provide a formal process for minor changes to be made at the administrative level. The new procedure would provide clear guidance for the extent of the permitted changes (for example, required lot width could be reduced by a small amount through an administrative adjustment), and the findings that would be required to make that change.

Allow Administrative Changes to Concept Plans

The City should consider formalizing the extent to which the concept plans (adopted in applicable districts) may be modified administratively during the development process. Due to the number of years many developments require to build out and the uncertain nature of the marketplace, changes to concept plans are often necessary. When such changes are significant, they should be reviewed (as they are now) by the original approving body. However, where such changes can be agreed to be minor, or where such changes result in lowering the intensity of the development, there should be a mechanism for approving changes administratively.

Clarify the Planned Development Approval Process

While the Planned Unit Development (PUD) approval process may be clear to frequent users of the ordinance, it is challenging for an outsider to follow. This is an area where adding a separate description of the full PUD process would clarify the requirements for review, approval, and modifications to an approved plan. Furthermore, the consultant team recommends allowing certain minor changes to an approved plan to be processed at an administrative level.

Expand Standards to Reduce Discretionary Review

Uses that are common, such as fast food, gas stations, and convenience stores should have standards designed to eliminate the potential for nuisances. For example, lighting, trash storage, noise from

For example, when most apartment buildings in Conditional District rezonings are required to provide additional buffers or locate parking to the side when located next to single family residential, these *conditional* requirements might need to become basic standards for multifamily next to single family.

speaker boards or vehicle traffic, signs, litter, roadway access, location, and other real issues can be addressed with standards that are specific to that use. These standards are all designed to eliminate the potential for nuisance—making the use a compatible neighbor. The starting point for such standards for our purposes will be the stipulations and conditions that the City has imposed on such development in the past.

While permitting citizens to comment on developments that will be built next door is desirable, it should not be the process for review of every aspect of every development proposal. And it is especially

important that the process not hinder achievement of planning goals. For example, where the Comprehensive Plan calls for set densities and intensities, individual zoning decisions should conform to the Plan, or the Plan should be amended.

Reduce Reliance on the Conditional District Rezoning Process

Many stakeholders expressed frustration that the Conditional District Rezoning Process was being used too often. Adding more specific standards and flexibility in basic ordinance standards combined with increased administrative approval authority could reduce the number of applications requiring a formal Conditional Rezoning.

Provide Alternatives to Variances

A number of citizens noted that the City should consider reducing the number of applications for variances. The consultant team recommends that the new ordinance expressly stipulate that some standards cannot be varied by the Board of Adjustment. At the same time, flexible development standards such as buffers, landscaping and setback requirements should not require a variance unless there is truly no way to accomplish the standard on the development site. See “Balancing Flexibility with Predictability” below.

Provide Procedural Incentives for Desired Types of Development

It is important to remember that the review and approval process can be used as an incentive for encouraging the type of development desired by the community. Whether what is desired is mixed-use; shared parking; conservation subdivision design or rehabilitation and reuse of older buildings, few things offer a more positive signal to builders and developers than a fast and predictable review process.

Instead of relying on a lengthy public review process as the "default" procedure, Greensboro's new LDO should employ basic, objective standards and ministerial review procedures to the extent possible. Under such a system, the typical review "process" will involve a staff-level determination of whether a proposal complies with the code's development standards. Development that complies with established standards would be allowed as-of-right, in some cases after undergoing an expedited, staff-administered plan review process. The option to appeal a staff decision would be available to those who feel the interpretation of the ordinance was incorrect.

Applicants for development approval who feel they are unable to comply with such standards would be given the option of submitting alternative compliance plans for more formal public review. In this way, the ordinance would provide two voluntary tracks for approval: (1) an expedited approval process for builders and developers who choose to comply with established standards and guidelines and (2) a more involved public review process for those who desire the flexibility to engage in more "creative" alternative designs.

INCREASE FLEXIBILITY OF ZONING DISTRICTS

A significant concern with the zoning districts is their lack of flexibility. The lack of flexibility is forcing applicants to seek planned development approval as way of achieving desired results. Increasing the flexibility of the base districts will not only provide a higher level of certainty throughout the entire approval process, it will reduce the number of petitions for planned development zoning. To increase the flexibility of the districts, the consultant team recommends the following:

Balancing Flexibility with Predictability


Many stakeholder comments focused on the need for more flexibility in the revised ordinance. As a basic concept, increased flexibility is indeed desirable for most aspects of a community's land use regulations. However, it is important to consider just how this flexibility is being accomplished. For instance, if the new LDO increased the City's reliance on discretionary approvals, such as conditional zoning districts or special exception permits, this would open up both the applicant and surrounding community to an inherently unpredictable and often controversial process. Also, it is important that the new LDO maintains minimum standards that ensure high quality development throughout the City. The consultant team recommends developing alternative methods of compliance for a particular requirement, much like the approach used in the current "Planting Yard Flexibility Standards." Doing so gives an applicant multiple means for meeting the standard, while ensuring that the general intent is satisfied. Of course, it is important to carefully vet each alternative considered against community policies and preferences to ensure that the intent of the original standard is still met.

Expand the List of Permitted Uses

One effective way of increasing base district flexibility is to expand the categories of uses permitted. Obviously, all uses are not appropriate in all districts. If that were the case, the new LDO would simply have three or four districts that focus more on development intensity rather than the types of uses permitted within the district. During the ordinance revision process, the drafting team will work towards regulations that provide the proper balance between allowing a greater mixture of uses within a district while providing adequate protections for the community. See also "Examine Transitions between Uses" below.

Examine Transitions between Uses

Many seemingly incompatible adjacent uses become infinitely more tolerable, and even attractive, if the transition between different uses is managed effectively. For instance, if an application for a new small retail center like the one located on Walker and Elam Avenues were submitted today, it might be resisted by the surrounding neighborhood due to concerns about noise and traffic. However, these same stores have become amenities and selling points for the surrounding neighborhood.

Performance-based standards, such as flexible landscaping and buffering standards based on the classification- or intensity-differential between uses will be reviewed and modified to soften transitions and allow for a larger range of uses. Architectural design compatibility standards, such as building size and materials used, are another example of performance-based standards which help integrate different uses into a neighborhood. 

Consolidate Districts

The current UDO is the legacy of an ordinance that was intended to serve many different areas with a wide range of development patterns and regulatory tolerance. During this LDO rewrite process, the City should consolidate districts with similar regulations. By collapsing similar or matching districts, duplication and cumbersome, repetitive language can be avoided. Currently, the UDO contains 23 base districts and 6 categories of overlay districts. Additionally, the City has established three Planned Development districts and a parallel Conditional District for each base district (23 Conditional Districts).

It is not unusual for a traditional zoning ordinance to contain multiple zoning districts with similar lists of permitted uses to accommodate different patterns of development. For example, many

ordinances contain multiple single-family zoning districts, all with different minimum lot requirements. While the list of permitted uses in the different districts might be the same, multiple zoning districts are required to accommodate the various lot area, length, and width dimensional standards.

For discussion purposes, an initial analysis of existing districts was conducted to identify which districts could be consolidated or deleted. A more detailed discussion of district consolidation is contained in “Refine Residential Districts” and “Refine Non-Residential Districts.”

Development Areas


One approach used by some communities is to implement development standards based on the prevailing patterns or intensities of development rather than specifically on use. If this approach were applied to today’s Greensboro, the City might be distilled into four general patterns of development, or *Development Areas*.

1. **Downtown Area:** The Central Business District and surrounding downtown areas are characterized by a compact, urban pattern of development. High density residential, office, and commercial uses are all located in very close proximity to each other (often in the same building).
2. **Urban Area:** Surrounding the Central Business District is an area that provides slightly more separation between uses compared to the Downtown, and detached residential uses are typically located on relatively small lots.
3. **Suburban Area:** The majority of Greensboro (especially the residential elements) can be considered suburban in nature. Development intensities are fairly low, lot sizes are larger, and uses more spread out. More open space is typically provided on-site than would be found in either the Downtown or Urban Areas.
4. **Activity Centers/Regional Transit Stations:** The Major Activity Centers discussed in the Comprehensive Plan (see Activity Centers/Regional Transit Stations, p. 29) might be considered a fourth Development Area. In general these areas are anticipated to be fairly compact with a relatively high mixture of land uses.

The new LDO could significantly reduce the number of zoning districts by moving to a system where zoning district standards are limited to permitted uses. In addition to basic dimensional requirements, a broad range of site design and subdivision standards could then be based on the Development Area where the project is located (see Link Standards to Development Area p. 31).

Examine Commonality of Existing Overlay Districts

One issue mentioned numerous times during our initial stakeholder interviews was the over use of overlay zoning districts within the City. Furthermore, overlay districts can be difficult to administer and can add to the confusion during the approval process. As created now, many of the overlay districts are fairly complex (perhaps unnecessarily so). Some districts contain a number of standards that the City should consider incorporating into the general use standards, such as Scenic Corridor Overlay Districts. During the UDO review, the drafting team will look for opportunities to...

-  1. Consolidate overlay districts by combining common elements; and/or
2. Replace overlay districts with uniform City-wide standards when there is a general consensus to see certain standards applied throughout the City.

Current Overlay Structure

As the following table shows, the City currently has a number of overlay districts. Some of these, such as Historic Districts or Pedestrian Scale Overlays may actually include a number of different sub-districts.

| OVERLAY DISTRICTS | | |
|-------------------|--|---|
| HD | Historic District | |
| SCOD-1 | Scenic Corridor Overlay District-1 | Incorporate into General Standards? |
| SCOD-2 | Scenic Corridor Overlay District-2 | |
| AR | Airport Overlay District | |
| MH | Manufactured Housing Overlay District | |
| WCA | Watershed Critical Area Overlay District | |
| GWA | General Watershed Area Overlay District | |
| PSO | Pedestrian Scale Overlay District | |
| CBD | Central Business Overlay District | Consolidate and/or rename? |
| VCD | Visual Corridor Overlay District | |
| SC-3&4 | Scenic Corridor Standards | Rather than an overlay, these would be a new group of standards that apply to roadways of a certain type. |

The current UDO has two overlay districts related only to signage regulations (Section 3-5-5). The Central Business Overlay and the Visual Corridor Overlay Zone both prohibit new outdoor advertising signs. While these overlay districts do not contain any dimensional standards, they should be described in the section establishing the other overlays. Further discussions relating to reviewing the citywide applicability of various standards are contained throughout this document.

REVISE THE PERMITTED USE SCHEDULE

The permitted use table in the current UDO has an exhaustive list of permitted uses and employs the 1987 Standard Industrialized Classification (SIC) system to help identify uses not listed on the use schedule. While this is a fundamentally sound approach and provides clear guidance, it restricts flexibility in reviewing applications and results in additional rezonings. Furthermore, the existing SIC system is obsolete and many of the uses listed do not have a corresponding SIC number (entries marked “0000”). Following are a number of suggestions for revisions to the use permitting approach:

Employ General Use Categories

Currently the Use Schedule groups uses by category, however, the schedule proceeds to identify most every anticipated use under that category (for example, the Business, Professional, and Personal Services category contains over 80 different entries). General use categories group specific uses that are based on similar physical and functional characteristics. Each general use category can be defined in a manner that can both exclude unrelated specific uses and remain flexible enough to allow additional or emerging uses that may not be included in the category by name.

The table below is a good example of the Use Category approach suggested for consideration by Greensboro. In this example, all industrial uses are grouped into six general categories (*Heavy Industrial, Light Industrial Service, Resource Extraction, etc.*). Specific uses under each general category which are substantially different or may require different standards are then identified individually.

| | | RESIDENTIAL | | | | | | NONRESIDENTIAL | | | | | | PLANNED | | | | | | OVER-LAY | |
|---|--|-------------|----|------|----|------|----|----------------|----|----|-----|-----|-----|---------|-----|----|----|----|----|----------|--------|
| KEY: "P" = Permitted "L" = Limited "M" = Major Special Use Permit "m" = Minor Special Use Permit "‡" = Development Plan Required Blank cell = not allowed | | | | | | | | | | | | | | | | | | | | | |
| USE CATEGORY | SPECIFIC USE | RR | RS | RS-M | RU | RU-M | RC | CN | OI | CG | CBD | SRP | IL | I | PDR | UC | CC | IP | MU | DDO* | NOTES: |
| INDUSTRIAL USES | | | | | | | | | | | | | | | | | | | | | |
| Heavy Industrial | All heavy industrial, except as listed below | | | | | | | | | | | | | P | | | | | | | |
| | Asphalt plant | | | | | | | | | | | | | L/M | | | | | | | 5.3.6A |
| | Concrete manufacturing plant | | | | | | | | | | | | | L/M | | | | | | | 5.3.6B |
| | Hazardous and low-level nuclear disposal and storage | | | | | | | | | | | | | L/M | | | | | | | 5.3.6C |
| | Wrecking, junk, and salvage yards | | | | | | | | | | | | L/m | L | | | | | | | 5.3.6H |
| Light Industrial Service | All light industrial service, except as listed below | | | | | | | | | | L | | P | P | | | | ‡ | | L | 5.3.6D |
| | Research and development | | | | | | | | | | P | P | P | P | | | | ‡ | | P | |
| Resource Extraction | All resource extraction | | | | | | | | | | | | | L/M | | | | | | | 5.3.6E |
| Warehouse and Freight Movement | All warehouse and freight movement | | | | | | | | | | | | P | P | | | | ‡ | | | |
| Waste-Related Service | All waste-related services, except as listed below | | | | | | | | | | | | | M | | | | | | | |
| | Recycling centers | | | | | | | | | | | | M | M | | | | | | | |
| | Transfer stations | | | | | | | | | | | | | L | | | | | | | 5.3.6F |
| Wholesale Trades | All wholesale trade | | | | | | | | | m | | | P | P | | | | ‡ | | L | 5.3.6G |
| * With the exception of residential uses, any use within the DDO must be allowed in both the overlay and the underlying district | | | | | | | | | | | | | | | | | | | | | |

* With the exception of residential uses, any use within the DDO must be allowed in both the overlay and the underlying district

This table would be complemented by a companion section describing in detail the general characteristics of each Use Category, to provide additional information as needed for interpretation. Cross-references are included in the table to direct the user of the document to the section of the ordinance where any use-specific standards may be located.

ENCOURAGE REHAB, REUSE AND REINVESTMENT

Removing Disincentives

Modern zoning and development regulations should amount to more than requirements and mandates. Whenever possible, they should make it easy to “do the right thing” by removing unnecessary regulatory obstacles that stand in the way of desirable development practices. Building rehabilitation and reuse is a case in point.

Many factors affect the reuse of older buildings, including the real estate market, lending practices, building code requirements, and zoning regulations. The problem with zoning has been that most zoning ordinances are written with the development of vacant land in mind. One of the unintended consequences of this traditional “greenfield” orientation is that regulations can make the rehabilitation of existing buildings more difficult than new development or demolition.

Well-intentioned rules governing building size, height and setbacks, as well as off-street parking and loading standards, can sometimes serve as barriers to reuse of older buildings. Unfortunately, these “regulatory disincentives” have an equal effect on marvelous old buildings that add a great deal to community character and run-of-the-mill buildings that few would miss if they were gone.

The time, effort and money now required to cross these barriers can effect an owner's decision to renovate or demolish.


Eliminating Parking Barriers

To do this, the new ordinance's parking requirements flexible enough to address the realities of sites and buildings that were developed long before off-street parking requirements and the age of the automobile. Even after building in flexibility wherever possible, the drafting team may need to devise new procedures providing an easier and faster route for parking exceptions for building rehabilitation. The current UDO provides for limited reductions by the TRC, but additional authority to simplify requirements should be considered to encourage reinvestment in existing portions of the City.

Facilitating the Reuse of Nonconforming Buildings

Under today's ordinances, there are undoubtedly hundreds of "nonconforming" buildings in Greensboro. Originally built in compliance with existing rules, they no longer comply with the UDO rules because the rules were changed—or were instituted—after their construction. Their nonconforming status could be related to virtually anything now addressed by current controls, including failure to meet current setback, building height, or density standards.

In many cases, these buildings *fit* within their neighborhood context just fine, but development regulations designed for a different (often newer) pattern of development result in noncompliance. Furthermore, construction of a new building that is *in conformance* with current UDO regulations may actually result in a building that is dramatically different than the surrounding structures. Facilitating the reuse of existing nonconforming structures requires a multi-pronged approach. Issues to be considered include:

-  • Updating district standards to more closely match the existing conditions on the ground (this may involve revisions to existing districts or creation of overlay districts).
- Crafting of infill development standards (see "Create Residential Infill Standards").
- Clarifying the provisions relating to modifications or changes to nonconforming buildings, including changes of use and occupancy.
- Encouraging rehabilitation and reuse efforts that advance adopted policies and standards.

The City's nonconformity regulations are sound, yet improvements could still be made that would allow greater flexibility in dealing with nonconforming situations that are not likely to cause problems.

Adjusting Ill-Fitting Standards

Adjusting certain development standards that have been chronic stumbling blocks for those seeking to make property improvements would be a good change. By removing unnecessary hurdles—such as those that can be encountered when attempting to expand an existing residence or garage—the City is sending positive signals to families to stay in or move back to Greensboro's great neighborhoods.

RESIDENTIAL

REFINE RESIDENTIAL ZONING DISTRICTS

Greensboro currently has thirteen residential zoning districts; fourteen if you include the Agricultural District. While this is not an inordinately large number, many of these could be consolidated (or eliminated) to reduce the overall number of districts, provide more flexibility in the remaining base districts, and reduce the number of rezonings. The following table indicates the number of acres in each of the residential zoning districts and key dimensional characteristics. This has been included to provide the basis for discussions on the possible district consolidation.

Summary Table: Residential and Agricultural Zoning Districts

| DEVELOPMENT AREA | ZONING DISTRICT | ACRES | MINIMUM LOT SIZE | UNITS PER ACRE | MIN. LOT WIDTH | NOTES |
|--------------------|---------------------|---------------------------------|------------------|----------------|----------------|-----------------------------------|
| SUBURBAN | AGRICULTURAL | | | | | |
| | A | Agricultural | 333 | 40,000 | 1 or less | 150 |
| | RESIDENTIAL | | | | | |
| | RS-40 | RS-40 Single Family | 7,491 | 40,000 | 1 or less | 150 (100 with water and sewer) |
| | CD-RS-40 | Conditional RS-40 Single Family | 101 | | | |
| | RS-40-MH | RS-40 Single Family (MH) | 34 | | | |
| | RS-30 | RS-30 Single Family | 68 | 30,000 | 1.3 or less | 100 |
| | CD-RS-30 | Conditional RS-30 Single Family | 39 | | | |
| | RS-20 | RS-20 Single Family | 332 | 20,000 | 1.9 or less | 90 |
| | CD-RS-20 | Conditional RS-20 Single Family | 52 | | | |
| | RS-15 | RS-15 Single Family | 2,389 | 15,000 | 2.5 or less | 80 |
| | CD-RS-15 | Conditional RS-15 Single Family | 23 | | | |
| | RS-12 | RS-12 Single Family | 14,795 | 12,000 | 3.0 or less | 75 |
| | CD-RS-12 | Conditional RS-12 Single Family | 429 | | | |
| | RS-9 | RS-9 Single Family | 8,292 | 9,000 | 4.0 or less | 60 |
| | CD-RS-9 | Conditional RS-9 Single Family | 186 | | | |
| | RS-7 | RS-7 Single Family | 5,292 | 7,000 | 5.0 or less | 50 |
| | CD-RS-7 | Conditional RS-7 Single Family | 53 | | | |
| | RS-5 | RS-5 Single Family | 292 | 5,000 | 7.0 or less | 50 |
| | CD-RS-5 | Conditional RS-5 Single Family | 104 | | | |
| | Subtotal | | 39,972 | | | |
| URBAN ¹ | RM-5 | RM-5 Multifamily | 368 | 26,000 | 5.0 or less | |
| | CD-RM-5 | Conditional RM-5 Multifamily | 435 | | | |
| | RM-8 | RM-8 Multifamily | 645 | 16,000 | 8.0 or less | |
| | CD-RM-8 | Conditional RM-8 Multifamily | 617 | | | |
| | RM-12 | RM-12 Multifamily | 1,880 | 15,000 | 12.0 or less | |
| | CD-RM-12 | Conditional RM-12 Multifamily | 982 | | | |
| | RM-18 | RM-18 Multifamily | 1,960 | 12,000 | 18.0 or less | |
| | CD-RM-18 | Conditional RM-18 Multifamily | 151 | | | |
| | RM-26 | RM-26 Multifamily | 62 | 9,000 | 26.0 or less | |
| | CD-RM-26 | Conditional RM-26 Multifamily | 12 | | | |
| | Subtotal | | 7,112 | | | |
| | Total | | 47,087 | | | |

Note: ¹ Districts included in the Urban Development Area may also be located in areas more appropriately labeled Downtown.

Source: Geographic Information System Data Layers obtained from the City, May 2005

In addition to the Zoning Districts proposed for consolidation in the above table, the new LDO may need to anticipate higher density development in the *Urban and Downtown Areas* and *Activity Centers/Transit Stations* accommodating very high density multifamily residential. Intensities of forty, sixty, or eighty dwelling units per acre may be needed. These levels of residential density become especially important when the City considers the proposed Regional Transit Stations. In order to adequately support and capitalize on the development of these stations, high-density residential development is important for generating high ridership rates and localized pedestrian activity.

TABLE 30-4-6-1 (Extracted from UDO)

| AGRICULTURAL AND SINGLE FAMILY DISTRICTS DIMENSIONAL REQUIREMENTS | | | | | | | | | |
|---|--------|------------------|--------|--------|--------|--------|-------|-------|-------|
| | AG | RS-40 | RS-30 | RS-20 | RS-15 | RS-12 | RS-9 | RS-7 | RS-5 |
| Min. Lot Size (sq.ft.) | 40,000 | 40,000 | 30,000 | 20,000 | 15,000 | 12,000 | 9,000 | 7,000 | 5,000 |
| Min. Lot Width (ft.) | | | | | | | | | |
| Interior Lot | 150 | 150 ¹ | 100 | 90 | 80 | 75 | 60 | 50 | 50 |
| Corner Lot | 150 | 150 ¹ | 100 | 100 | 90 | 85 | 75 | 70 | 70 |
| Min. St. Frontage (ft.) | 50 | 50 | 50 | 45 | 45 | 45 | 30 | 30 | 30 |
| Min. Street Setback (ft.) | | | | | | | | | |
| Local, Subcollector & Collector - Front ² | 40/65 | 40/65 | 40/65 | 35/60 | 30/55 | 30/55 | 30/55 | 25/50 | 20/45 |
| Local, Subcollector & Collector - Side ² | 40/65 | 40/65 | 20/45 | 20/45 | 15/40 | 15/40 | 15/40 | 15/40 | 15/40 |
| Minor Thoroughfare ² | 45/80 | 45/80 | 45/80 | 40/75 | 40/75 | 40/75 | 40/75 | 35/70 | 35/70 |
| Major Thoroughfare ² | 50/95 | 50/95 | 50/90 | 50/95 | 50/95 | 50/95 | 50/95 | 45/90 | 45/90 |
| Min. Interior Setback (ft.) | | | | | | | | | |
| Side | 15 | 15 | 10 | 10 | 10 | 10 | 5 | 5 | 5 |
| Rear | 30 | 30 | 30 | 30 | 30 | 30 | 25 | 20 | 15 |
| Maximum Height (ft.) | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| Maximum Building Cover (percentage of lot) | 30 | 30 | 30 | 30 | 30 | 30 | 35 | 40 | 45 |

Note:

¹ 100 feet with water and sewer

² Setback from right-of-way line or property line/setback from street centerline, whichever is greater.

PROVIDE ALTERNATIVES TO COOKIE-CUTTER DEVELOPMENTS

The base residential zoning districts specify a minimum lot area and lot width, which yield a minimum lot depth with a simple division. As with minimum house size, minimum lot standards can also lead to cookie-cutter development. The best way to achieve maximum density under the current ordinance is to design a pattern of minimum size lots with little consideration for the natural features of the site—a “cookie-cutter” subdivision. The consultant team proposes the following recommendations as alternative measures to cookie-cutter developments.

Revise Residential Dimensional Standards

The Connections 2025 Plan and comments heard during the stakeholder interview process both support the idea of allowing a greater mixture of residential uses in residential districts (see also “Encourage a Variety of Residential Structure Types”, below). To promote this idea, the new LDO could specify residential dimensional standards based on housing type rather than on zoning district.

Doing so would clarify dimensional requirements for each type of dwelling under each circumstance.

| Single-Family Detached Standards | RS-20 | RS-10 | RS-8 | RS-M | RU-5 | RU-3 | RU-M | RC |
|---|--------|--------|-------|-------|-----------------|-----------------|-----------------|-----------------|
| Conventional Subdivision | | | | | | | | |
| Lot Dimensions (min. square feet) | | | | | | | | |
| Lot Area (w/o averaging) | 20,000 | 10,000 | 8,000 | 5,000 | 5,000 | 3,750 | 3,500 | 5,000 |
| Lot Area (with averaging) ¹ | 17,000 | 8,500 | 6,800 | 4,250 | 4,250 | 2,975 | 2,975 | 4,250 |
| Lot Width (feet) | 100 | 75 | 60 | 35 | 45 | 40 | 35 | 35 |
| Yards (min. feet)² | | | | | | | | |
| Street Yard (adjoining collector or greater street) | 35 | 25 | 25 | 25 | 20 | 15 ³ | 15 ³ | 10 ³ |
| Street Yard (adjoining local street) | 35 | 25 | 25 | 20 | 20 | 15 ³ | 15 ³ | 10 ³ |
| Street Yard (with rear vehicular or alley access) | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| Side Yard (single) | 12 | 10 | 9 | 6 | 6 | 6 | 6 | 6 |
| Side Yard (total) | 30 | 24 | 22 | 15 | 15 | 15 | 15 | 15 |
| Rear Yard | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| Cluster Subdivision | | | | | | | | |
| Lot Dimensions (min.) | | | | | | | | |
| Lot Area (square feet) | 10,000 | 5,000 | 4,000 | --- | 3,500 | 3,000 | --- | --- |
| Lot Width (feet) | 75 | 40 | 40 | --- | 40 | 35 | --- | --- |
| Yards (min. feet) | | | | | | | | |
| Street Yard | 25 | 20 | 20 | --- | 15 ³ | 15 ³ | --- | --- |
| Street Yard (with rear vehicular or alley access) | 5 | 5 | 5 | --- | 5 | 5 | --- | --- |
| Side Yard (single) | 9 | 6 | 6 | --- | 5 | 5 | --- | --- |
| Side Yard (total) | 22 | 13 | 13 | --- | 12 | 10 | --- | --- |
| Rear Yard | 25 | 25 | 25 | --- | 25 | 25 | --- | --- |

Illustrative Example- Single Family Detached Dimensional Standards


Under this approach, the revised Permitted Use Schedule would indicate whether a use, such as single family dwellings, is permitted in a particular zoning district. The existing dimensional standards table would be replaced by a series of tables containing the dimensional standards for each housing type as permitted in each zoning district.

The table to the left is an example of this approach applied to single family detached dwellings.

Make More Efficient Use of Land

A site with several development constraints (wetlands, floodplains, sensitive habitat, etc.) can easily reduce development efficiency. The use of conventional district standards for irregularly-shaped parcels, small sites, properties with natural resources, or those for which buffering is needed to protect adjacent uses results in reduced development efficiency and excessive requests for variances. Any degree of variation on a site is translated into lost efficiency—which generally means fewer lots, greater impervious surface coverage, and lengthened streets and utilities per dwelling unit. All these factors lead to a loss of revenue and increased cost per unit. Performance-based measures can allow for higher levels of efficiency. The basis of performance zoning is the use of several interrelated standards that allow flexibility, while still achieving certainty and protection of neighboring

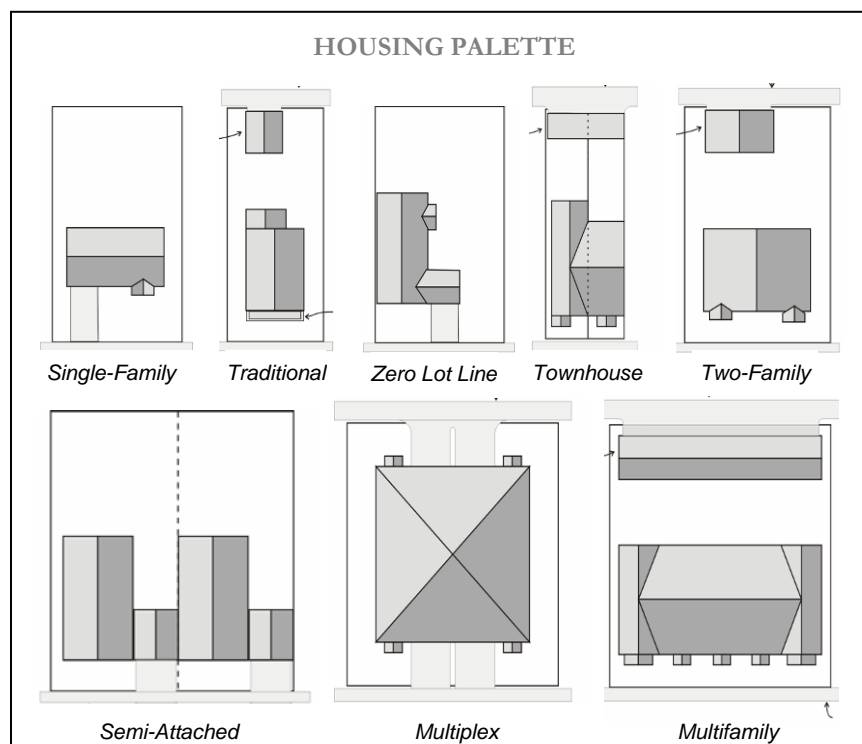
properties. Lot size and width as a determinant of density should be replaced with gross density and an open space ratio. These techniques are better able to regulate the intensity and character of land use. The context and scale of surrounding developed properties should also be taken into consideration when establishing appropriate lot dimensions in a development.

The concept of *lot size averaging* is a fairly typical mechanism used by communities to provide flexibility. Under this approach, a portion of the lots in a development might be smaller than the minimum lot size required by the ordinance, provided that these smaller lots are offset by a number of lots larger than the size requirement. The result is a development where the *average lot size* equals or exceeds the requirement. When implementing this approach, communities often place a limit on the number of lots allowed to be under the minimum lot size for the district. 

Some commented that the City should consider imposing *maximum* lot sizes in certain areas to ensure more efficient land use and attainment of densities established in the Connections 2025 Comprehensive Plan. By maintaining average lot sizes across a development site, with lots both larger and smaller than the average lot size requirement, the City could have some assurances that subdivisions are providing predictable build-out patterns.

Encourage a Variety of Residential Structure Types

A housing palette providing lot and bulk standards for varying dwelling unit types should be used to replace minimum lot size and complement the various subdivision patterns. The housing palette should allow four main residential structure types—single-family detached, two-family, attached single-family, and multi-family—with variations of each. All structure types should be permitted in a conservation or preservation development. This is an important flexibility option that allows a developer to seize the optimum market opportunity at any point in time without going through the rezoning process. Density and open space standards, along with perimeter buffers, are used to protect the environment, as well as adjacent properties.



The housing palette, with appropriate standards, allows the overall character of an area to remain the same even when the structure type changes. See also, “Natural Resource Protection through Subdivision” in the Subdivision chapter.

Create Opportunities for Life Cycle Housing

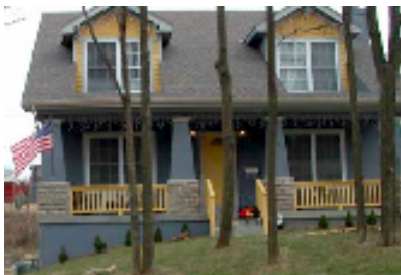
Life cycle housing is defined as the opportunity to provide all of a person’s housing needs for their entire lifetime within a single neighborhood or area. The concept implies that mixed neighborhoods, containing starter homes, larger homes for families, apartments, condominiums or townhouses for the retiree population, as well as assisted living facilities for the elderly should all be located in relatively close proximity so that one’s entire lifetime could be spent within a single portion of the City. Current housing patterns move the population around in a way that historic patterns of development never required. Use of the housing palette, along with careful thought about permitted residential structure types in each district, will allow future development of communities serving all of the segments of our lifestyles.

PROTECT EXISTING NEIGHBORHOODS

Neighborhood Conservation Districts



Existing Homes



Infill 1



Infill 2

Many communities have neighborhoods that are highly desirable places to live. Each has its distinct features; and many of them invite pedestrian activity and convey a sense of individual properties “belonging” together. In many cases, structures are relatively similar in scale, and buildings sit on their lots in similar ways. A row of houses, uniformly aligned along a block, with front porches as well as front lawns, is an example. Buildings may also have similar forms, such as gable roofs. These features are among those that can be considered the “design traditions” of the City which have helped make it a desirable place to live.

The three photos to the left contain two examples of a neighborhood’s evolution. The first photo, labeled “Existing Homes,” is a picture of a typical block in this neighborhood. The example labeled “Infill 1” shows a home constructed with a respect for many of the major themes that defined the existing neighborhood. Gabled roofs, a front porch with prominent columns, and the use of stone complements existing homes. The example labeled “Infill 2” is a significant departure from the surrounding context. Most noticeable is perhaps the absence of a front porch. Additional elements that make this example stand out are the choice of materials and the overall massing of the house when viewed from the street. Although two-story homes may exist in the neighborhood, the impact of an unbroken two-story facade is noticeable on a block characterized with gable roofs.

In recent years, cities across the country have experienced a rapid pace of building that is affecting the traditional character of their residential areas. Much of this involves replacement of or alteration to existing houses. In most cases, the replacement buildings are larger, increasing overall building density, reducing yard area and loss of diversity in building mass and form. In other cases, new building types, sometimes reflecting new permitted uses, alter the character of the area.

These changes reflect new investment in the area, for which there are probably a variety of reasons. In any case, these changes have attracted complaints from many in the community about the erosion of traditional character. There is concern that distinctions in neighborhoods within the city will be lost.


This is an issue in Greensboro as well. At present, the tools available are to designate a neighborhood as a historic district, or to apply a TN District or Corridor overlay. At present there is only one TN designation, TN-1. It sets forth specific design criteria that prescribe a certain type of neighborhood. While many of these are often found in established neighborhoods, they may not apply to some. The corridor overlay model is best suited to buildings facing a commercial street, even though a mix of uses may be included. It does not address treatment of an entire neighborhood with a network of streets or those that are primarily residential.

In many communities, these are typical goals for Neighborhood Conservation:

- To maintain traditional character of neighborhoods
- To enhance livability for residents
- To protect investment in property

In a Neighborhood Conservation district, a neighborhood would be designated in a manner that is similar to a historic district. However, the objectives are broader and the development standards are less detailed, and generally less restrictive. A key part of the process of developing a conservation strategy is to establish a clear understanding of the characteristics that people value in the neighborhood. This includes a look at the basic framework of each neighborhood. This means that in the process of establishing the district, its key features must be defined, from which appropriate guidelines are then written.

Conservation districts also may be used in newer areas where historic district designation is not feasible or when support does not exist among neighborhood residents for such designation. These use broader criteria than historic districts, but still focus on respecting the established context. Minor alterations are not reviewed. In most cases, only additions and new buildings are subject to review.

The most direct way to address basic design concerns is simply to modify the underlying zoning to more accurately reflect the traditional characteristics that the community seeks to protect. These include setbacks, heights and parking layout. Frequently, there is larger emphasis placed on the *public realm*, meaning the area between the front of the building and the street, as this can have greater impact on local character than modifications not visible from the roadway. Therefore, in evaluating the existing residential zone districts, it may be appropriate to consider modifying some of the basic underlying regulations, in addition to providing a conservation overlay option. 

In terms of the specific approach, a conservation tool could be defined as an overlay. It could be a separate category, similar to the Historic District (HD) or depending upon how the Traditional Neighborhood category evolves, it could be a new one (i.e., TN-2), which is designed for older, established neighborhoods.

This discussion should be considered with the caveat that adding more overlays or districts would inevitably increase the complexity of the new LDO. A possible consequence of added complexity is increased frustration amongst staff and applicants, as well as stifled investment or reinvestment. Therefore it is incumbent on all parties involved to move towards the solution that best protects the interests of local residents while adding only the minimum regulatory burden in the process.

Create Residential Infill Standards

Many have commented that dimensional standards found in the current UDO act as a deterrent to investment in existing developed areas. This comment applies to both construction of new buildings (infill) on vacant sites and redevelopment or improvement of existing structures. The current UDO has provisions for the creation of an Infill Planned Unit Development (PUD-I) or a Pedestrian Scale Overlay (PS-O) to modify base district requirements. These tools are geared towards larger projects and the PS-O is largely intended for non-residential or mixed-use areas. The problem with these approaches is that they can be impractical for a one or two lot project. Infill development standards can be developed which provide an alternative procedure whereby dimensional standards such as yards and setbacks may be modified to match the immediate context area (neighborhood) without having to codify distinct standards for each existing neighborhood.

Parking, garage and driveway standards would also need to be addressed, with particular attention to ensuring that such features generally match the context of the existing block.

The City may consider allowing administrative approval of projects using the infill development standards with a limited number of units. For larger projects, the PUD-I or modified version of the Traditional Neighborhood District may be more appropriate.


NONRESIDENTIAL AND MIXED-USE

ADDRESSING THE CHARACTER OF COMMERCIAL AND MIXED-USE AREAS

Commercial zoning should have two basic functions. It should work to meet the needs of the market by accommodating modern retail, service, and other commercial uses. In addition to this market function, commercial district regulations should help to create inviting and vibrant places that enhance our overall quality of life.

The commercial and mixed-use zoning districts to be included in Greensboro's new LDO need to address the physical character of the City's commercial areas. New district regulations should build on past zoning and non-zoning successes. For example, the East Market Street Pedestrian Scale Overlay zone development regulations may be a useful model for creation of a new neighborhood commercial zoning classification that could have broader applicability. By reverse engineering the physical character of commercial "hot spots" within various neighborhoods, the drafting team hopes to devise standards and guidelines to promote functional and attractive commercial areas that serve as positive assets to the residential communities they border. Similarly, the Central Business District is enjoying a resurgence in activity and may need only modest 'tweaking' to certain elements, such as setback standards, to allow a much broader array of desired development.

In a recent zoning assignment outside Greensboro, one commentator opined that commercial streets are display windows for the treasured neighborhoods they border. If this is true, then care must be taken to ensure that those windows present a positive image. As with the residential districts, commercial character is all about how an area looks and functions. Of course, not all of our commercial areas are the same, and a one-size-fits-all strategy will not work.

One way of helping craft new zoning districts is to first identify a city's different types of commercial areas. In turn, these classifications will help form the necessary criteria to guide development and redevelopment. Our analysis suggests there are three basic types of commercial places in Greensboro: .

1. Pedestrian-oriented shopping streets [Intersection of Walker and Elam Avenues, parts of South Elm Street downtown, State Street, Tate Street];
2. Auto-dominated commercial streets [parts of West Wendover Road, High Point Road, Battleground Avenue]; and
3. Transitional streets, or the many streets that fall somewhere between the two extremes [West Friendly Avenue].

Pedestrian streets

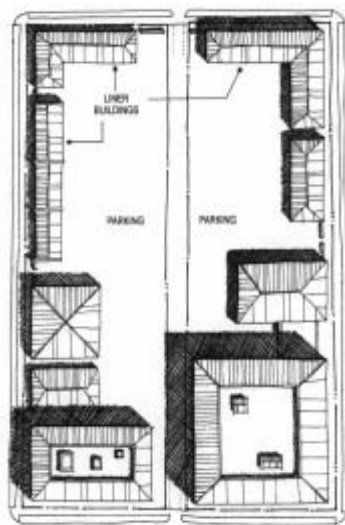
When it comes to commercial zoning, one of the highest priorities would appear to be preservation and enhancement of Greensboro's best pedestrian-oriented shopping streets. Greensboro has many examples of attractive, walkable streets, and the new development ordinance should work to preserve them.

Pedestrian streets are typically characterized by narrow roadways, wide sidewalks, numerous small storefronts, and lots of pedestrians. Whether we think about it or not as we walk down these streets, the things that appeal to us are fairly simple.

They are built up to the sidewalk. There are few, if any, places where this “streetwall” is broken up by parking lots, vacant parcels, or buildings set back far from the street. Large window areas line the sidewalk, providing views into the stores or to display areas inside the windows. Shop entrances are next to the sidewalk, and the sidewalks themselves are fairly wide (often eight feet or more).

The sum effect is that we feel safe and involved as we walk along these pedestrian-oriented streets. We are protected from cars (since they are not crossing the sidewalk into parking lots) and we have easy access between stores. This is the same model that shopping center developers are now trying to recreate as so-called “lifestyle centers,” such as the Friendly Center in northwest Greensboro.

Preserving the character of the City’s best pedestrian-oriented streets will require the adoption of new standards. These standards, which would be geared toward preserving the qualities that make these areas attractive to pedestrians, should:

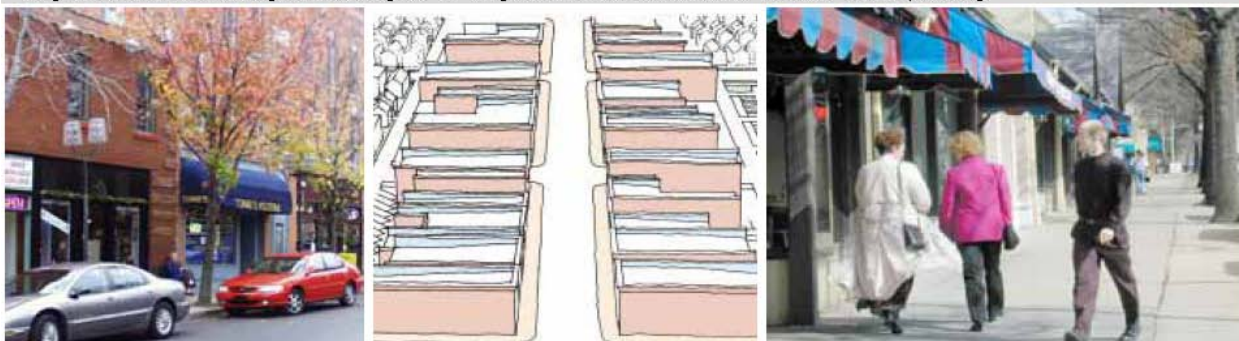


Liner buildings are wide, shallow buildings that can be used to hide ugly parking lots or blank building walls

- ensure preservation of a continuous street wall by requiring that new buildings be built at or very close to the sidewalk, with special emphasis on corner buildings;
- mandate that a major portion of walls at street level contain display windows or other transparent elements to enliven the street-level pedestrian experience;
- require building entries that open onto the sidewalk;
- control the location of driveways and off-street parking areas;
- increase on-street and reduce off-street parking requirements;
- require and maintain quality sidewalks of adequate width to accommodate pedestrian travel, removing pedestrian barriers and providing pedestrian amenities; and
- encourage sidewalk cafes and seating areas.

Pedestrian-Oriented Streets

The **pedestrian-oriented street** typically has a fairly intact street wall and is home to small stores and businesses. They are characterized by narrow rights-of-way, numerous storefronts, and on-street parking.



Auto-dominated streets

In contrast to their pedestrian-oriented cousins, auto-dominated commercial streets are characterized by wide rights-of-way, buildings that are set back far from the street, numerous driveways, off-street parking spaces and automobile traffic.



Auto-oriented uses along Lee Street

Commercial development along such streets is geared almost exclusively toward attracting auto traffic. This emphasis can come at the expense of a commercial street's appearance and the safety of the pedestrians that do walk along these streets, particularly near transit stops, schools, and other pedestrian-oriented attractions. Rarely are there pedestrian safety refuges in large parking lots, which forces those who are walking—either from parked cars or from the adjacent public sidewalk—to share

driving aisles with moving cars. Too many closely-spaced driveways can cause traffic to slow on the adjacent street and make it difficult for pedestrians to walk safely down the sidewalk.

Parking lots along auto-dominated streets are typically located in front of the commercial buildings they serve. Unfortunately, many have minimal or nonexistent landscaping. This not only makes them unattractive, it also provides no relief from heat buildup, which occurs as the sun beats down on a sea of unbroken asphalt pavement. Adding trees and shrubbery along the street and within parking lots makes good sense from the standpoint of the customer and the environment.

Auto-Dominated Streets

Auto-dominated streets are characterized by wide rights-of-way, parking lots, numerous driveways, buildings set back from the street—and traffic.



New standards should be added to the ordinance to help tame the most negative impacts of auto-oriented development. These standards should address:

- reducing number of driveways along streets and requiring more cross-connections between abutting properties;
- safe walking routes and other pedestrian features in large parking lots;
- landscaping and screening to “soften” large parking lots; and
- shallow liner buildings along the edges of large parking lots.

Transitional commercial streets

Auto-dominated and pedestrian-oriented streets constitute the most recognizable street types, but they probably constitute the minority. Most streets, such as Spring Garden Street, do not fit neatly into either of these classes, but rather fall somewhere in between. The new ordinance will also need to include standards for these “transitional” streets. As one might expect, the appropriate standards will need to be a blend of pedestrian street controls and auto-oriented standards.

Transitional Streets

Transitional streets incorporate a mixture of pedestrian-oriented street controls and auto-oriented standards. The challenge is to accommodate cars and parking without destroying the area's attractiveness to pedestrians.



MIXING USES

Mixed-use development is simply development or a pattern of development that includes a mixture of residential and nonresidential land uses in close proximity to one another. Mixed-use development can be arranged vertically, as in the case of apartments located above retail shops along pedestrian streets or in the form of downtown high-rises that contain a combination of retail, entertainment, office and residential uses within a single building. Mixed-use development can also be horizontal, as in the case of a planned community that contains a mixture of housing, shopping and entertainment and employment uses that are integrated by a connected system of streets and pedestrian routes.

Locating living, shopping, employment, recreation and entertainment uses within a short walking distance has many benefits. Mixed-use development can help reduce reliance on private automobile use because of the options it affords people to walk, cycle or use transit as a means of reaching their destination. Reducing auto reliance allows independence of movement, which is particularly important for children and older persons. Lower rates of auto use can also help reduce traffic congestion and air pollution.

Mixed-use development helps create excitement and vitality within neighborhoods. The presence of mixed-uses helps create pedestrian activity and interaction among community residents. More street life brings with it greater safety due to the presence of people and “eyes on the street” at all hours of the day.

Mixed-use often means more housing choice and variety than is commonly present in single-use residential communities. This choice can mean greater access to housing for people of different age groups, incomes and lifestyles.

There is nothing particularly exotic or unusual about mixed-use development patterns. Mixed-use patterns—typically in the form of shops at street level and apartments above or corner stores in residential neighborhoods—have been a common feature in cities and towns through history. The




Elm Street looking north, early 1900's

snapshot at left is from a postcard showing an early incarnation of Elm Street. One sees a street level lined with various retail shops and other commercial uses. Offices, apartments, and other uses are located above. Unfortunately, in the mid-20th century several forces conspired to render mixed-use development an endangered species.

Critics are quick to pin the blame for the demise of mixed-use development patterns on ill-conceived zoning policies. In fact, local zoning policies did begin the shift away from supporting mixed-use development in the mid-1950s, but rising auto ownership patterns, declining financial support for public transit, highway building policies, population flight to the suburbs and urban renewal policies also share a good part of the blame.

Thanks to proponents of New Urbanism, population movement back to cities, and the readily apparent failings of exclusive-use zoning, mixed-use development may be on its way off the endangered species list. One of the tools used to help facilitates this rebirth is mixed-use zoning.

Greensboro's new regulations can and should do more to accommodate mixed-use development. The updated commercial regulations should allow residential development by right in most if not all commercial/mixed-use classifications. In many of the updated districts, the ordinance should specify that residential use (particularly in Downtown and Urban areas) must occur above the ground floor thereby reserving the street level for more active use. Ground-floor residential or single-purpose residential (apartment) buildings would likely be an appropriate allowance in limited circumstances. For further discussion on urban design considerations, see "Urban Design and Mixed-use" in the Development Standards chapter. 

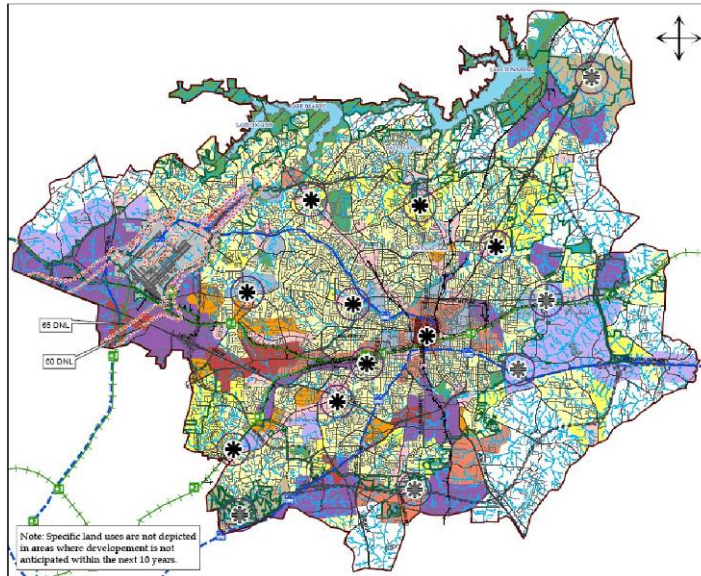
Mixed-use Districts

The Comprehensive Plan references five land use classifications of mixed-use districts:

1. Mixed-use Central Business District
2. Mixed-use Residential
3. Mixed-use Commercial
4. Mixed-use Planned Community
5. Mixed-use Corporate Park

Activity Centers/Regional Transit Stations

The Connections 2025 Plan identifies twenty-one target areas intended to “function as destinations or hubs of activity for the surrounding area.” Most of the thirteen Activity Centers are intentionally located within close walking distance to existing or future residential neighborhoods. Eight Regional Transit Stations are located along the regional rail line from Burlington to High Point and Winston-Salem. These are envisioned to be nodes of activity with a rich mixture of uses (residential, retail, office) with relatively compact patterns of development.



Generalized Future Land Use Map, Connections 2025 Comprehensive Plan

Many of the centers are located in areas that are currently underserved by conveniently accessible shopping and service uses. As such, the new LDO should further these development goals by being easy to implement and as flexible as possible.

The ultimate implementation of the Activity Center/Transit Stations concept requires successful interconnections with the surrounding communities. A key issue for consideration is the maintenance and/or development of safe pedestrian and bicycle and neighborhood-scale vehicular linkages. Appropriate transitions in intensity and use between a center and the

surrounding neighborhood are also important. Obviously, these and other “edge treatment” issues are just as (if not more) important to project acceptance as the overall site concept.

Transit Oriented Development (TOD)

Transit Oriented Development, or TOD, is a relatively new term for a not-so-new concept. The main goal of TOD is to create nodes of activity and intensity around public transit. A hypothetical example might be one of the eight proposed Regional Transit Stations. High density residential, institutional, retail, office, and/or other commercial *should be required* in the immediate vicinity of the station. Mixtures of land uses *should be required*. Land use intensities would gradually decline with distance from the station to blend into the surrounding context. Considering the significant costs associated with developing and maintaining this type of public transit, high rates of occupancy and pedestrian traffic are crucial to the ultimate success of these areas. Low-density residential, heavy industrial, auto-dominated uses, and other non-pedestrian-friendly types of development would be inappropriate in the areas immediately surrounding a transit rail station.

Ideas for consideration could include:

- Establish variable development standards appropriate to different areas, such as for suburban, urban, Activity Center/Transit Station, and downtown areas.
- Distinction on a site plan between “committed elements” and other elements. Committed elements might include: the basic mixture of uses; location, classification, and intensity of uses adjacent to an existing neighborhood; roadways and driveways into the site. Subsequent

site plan modifications would allow administrative approval of any changes not involving a committed element (i.e. allow the developer to move interior buildings and streets).

- An approach that imposes different use mixture requirements based on the size of the site and urban or suburban context. For example, smaller sites would have lower mixture requirements.
- Proactive rezoning by the City to remove this burden from the developer.

PROMOTING NEIGHBORHOOD BUSINESSES

Many on the City's staff commented on the awkward provisions currently contained in the Neighborhood Business (NB) District to allow small businesses to locate and operate within existing residential neighborhoods. Specifically, the District requirement that all off-street parking is located to the rear, and ill-fitting setback standards make it difficult for well-intentioned business owners to redevelop existing lots. There are a few different approaches the City can use to allow neighborhood businesses to locate and thrive within existing residential areas.

One idea would be to modify some residential districts to allow small neighborhood stores designed to serve the surrounding community (by right) provided controls were in place to address the possible adverse effects of building and scale, parking, access, outdoor storage and hours of operation. Another option might be to update the nonconformities provisions to administratively permit re-establishment of neighborhood business uses in locations where such businesses were once present. At a minimum, the City should consider the following changes to the Neighborhood Business District:

- Allow parking to be located on the side (with appropriate landscaping and buffering), in addition to the rear;
- Reduced street setback to allow buildings to be built to the sidewalk; and
- Reduced minimum lot frontage

Whether renting a movie, getting a carton of milk or dropping off dry cleaning, conventional development patterns often force residents to leave their neighborhoods whenever they are in need of basic goods and services. In crafting the new regulations the drafting teams needs to explore alternatives that easily accommodate convenience shopping within walking distance of housing.


SUBDIVISION AND SITE PLAN

COORDINATE UTILITY EXTENSION AND ANNEXATION WITH GROWTH STRATEGY

Section 4.4 of the Connections 2025 Plan identifies three Growth Tiers. Growth Tier One contains areas where annexation and/or development is anticipated over the next ten years. Growth Tiers Two and Three are areas where utility extension and annexations will be discouraged over the next ten to twenty years. It is understood that new annexations and subsequent rezonings will be reviewed against the Comprehensive Plan. This consideration should be extended to applications for extension of utility service (especially wastewater).

LINK STANDARDS TO *DEVELOPMENT AREA*

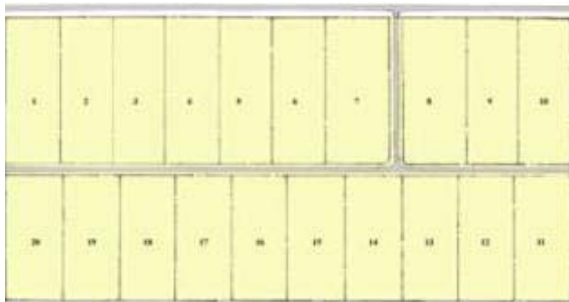
The current ordinance contains many standards that are basically applied the same everywhere, regardless of the prevailing character of local development or other local differences that may make a different approach more appropriate. One example raised during the stakeholder meetings was the requirement for curb and gutter along almost every roadway, even in fairly rural areas when in fact; drainage swales may be a more appropriate design. The new LDO could use an approach that bases many of these development standards on the underlying *Development Area* rather than having uniform standards that may not fit local needs. The table below contains a number of design elements that could be linked to *Development Area*. This list is by no means final, and it is intended to provide the basis for a significant discussion. If the City elects to pursue this approach, the LDO drafting team will work to craft standards that best match the surrounding character and Greensboro's stated goals and policies.

| ELEMENT | SUBURBAN | URBAN |
|---------------------------|---|---|
| |  DEVELOPMENT INTENSITY | |
| Sidewalks | Not required in certain situations | Required on both sides of the street |
| Roads | Wider rights-of-way, ribbon curb allowed | Narrower roadways, curb and gutter |
| Drainage | Roadside swales On site stormwater management | Curb and gutter required Engineered stormwater management systems, possibly located off site. |
| Open Space | Located within development | Allow off-site or fee-in-lieu |
| Buffering and Landscaping | Wide bufferyards Generous spacing between uses | Narrow bufferyards |

NATURAL RESOURCE PROTECTION THROUGH SUBDIVISION

Allow Multiple Patterns of Subdivision

The current UDO provides for two patterns of residential development by right: Conventional and Cluster. To provide added flexibility and certainty in the base districts, consider an approach that creates several residential design types (conventional, cluster, and conservation cluster). In a conventional zoning district, generally only one housing type is permitted. The consultant team recommends an approach that permits mixing of residential types. The figure below illustrates the three basic patterns of subdivision: single-family, cluster, and conservation cluster. Single-family would require minimal open space to accommodate stormwater management facilities on-site (between 5 and 10 percent of the site). Cluster development would require substantial open space and should encourage conservation of sensitive natural features. Clustering also reduces developer's infrastructure and site clearing costs as well as City maintenance costs after construction. The open space required would vary by Development Area (rural, suburban or urban).



Conventional Single-Family



Cluster



Conservation Cluster

Apply Subdivision Patterns to Protect Natural Resources

All three subdivision patterns described above should be considered for areas without natural resource constraints. The consultant team recommends continuing the current approach of requiring more compact development in areas with environmental constraints, such as the watershed overlays. In urban environments, there are limits to clustering that includes single-family detached housing. At five dwelling units per acre or greater, the typical dwelling unit type needed is likely to be two-family, attached single-family, or multi-family housing. In urban areas, high open space ratios may still be achieved, but the residential structure necessary to achieve higher densities will be multifamily or attached. See also, "Provide Alternatives to Cookie-Cutter Developments," in the Residential chapter.


USING DENSITY TO LEVERAGE MIXED-USE AND TRANSIT

Connecting people and places means giving residents the freedom to walk, cycle and take a bus or train for at least a part of their daily travel. One thing that can make a difference is putting residential density in the right places (Activity Centers or Regional Transit Stations for example). Land use and density patterns can be used to create opportunities for neighborhood-supportive business that can be reached on foot and to provide the critical mass necessary to make transit a viable and competitive travel option. Higher density development and targeted reinvestment in designated locations is essential to expanding viable transit and transportation choices by making it easier to use non-automobile transportation—walking, bicycling, bus and rail transit—by locating activities closer together.


The new regulations can help through the creation of new zoning and subdivision options and by paying attention to the types of subdivision design details that will ensure different forms of development fit into existing neighborhoods.

CONNECTING PEOPLE AND PLACES

Helping to ensure that residents of Greensboro have multiple transportation options should be a key goal of ordinance update project. Communities around the country are increasingly seeking a wider range of transportation alternatives in an effort to deal with overwhelmed roadway networks. They are attempting to better coordinate land use and transportation; increase the availability of high-quality transit service; provide flexibility for parking solutions; and ensure that pedestrians, cyclists, transit users and drivers can easily and safely reach their destinations. Land use and development policies are only part of the answer, but they can play an important role by promoting land-use patterns that support a multi-modal approach to dealing with transportation.

The Greensboro Department of Transportation (GDOT) is currently examining its street design specifications with an eye toward accommodating more pedestrian-oriented, environmentally sensitive street layout and design options. As that effort proceeds, the drafting team will work closely with GDOT to ensure the all regulations are coordinated and working together in pursuit of the City's overall policy objectives. 

Pedestrian Connectivity

Greensboro prides itself on its established network of interconnected parks, greenways, sidewalks, and pedestrian paths and is consistently looking for ways to enhance this pedestrian connectivity. The revised ordinance should continue this focus on continuous pedestrian linkages throughout the City by providing incentives for dedication of greenways such as a density bonus or reductions in impervious coverage requirements. The City should also consider expanding the requirements for pedestrian connections between adjacent commercial developments and residential subdivisions. 

This is not to say that sidewalks must be required everywhere. In some parts of the community, a network of off-street pathways may be sufficient to satisfy the need for pedestrian linkages. During the ordinance review process, the drafting team will work with staff to “right-size” requirements to best serve local needs.

Connecting Neighborhoods

Currently, the UDO does not have explicit, quantifiable requirements governing street connectivity, although implicit reference to the City's Street Connections Policy is made in Section 3.16.3(C).

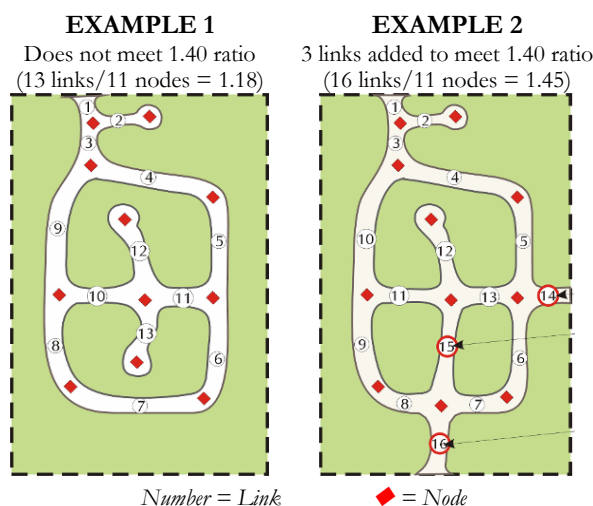
This Policy serves as a useful guide in detailing the various criteria that should be considered when designing a road network. However, some stakeholders commented that the policy should be revised to provide more quantitative standards to clarify the actual requirements.

The consultant team proposes the City consider a performance-based approach that quantifies the number of external and internal connections into, out of and within a residential subdivision. The number of streets (links) within a subdivision can be divided by the number of nodes or end links, including cul-de-sac heads to yield a subdivision connectivity ratio. The example below assumes a minimum connectivity ratio of 1.40.

3.16.3(C) Conformance with Adjoining Street Systems

The planned street layout of a proposed subdivision shall be compatible with existing or proposed streets and their classifications on adjoining or nearby tracts. Street connections shall be made pursuant to criteria adopted by the City Council.

Applications unable to meet these requirements could use an alternative compliance process that incorporates the questions contained in the Street Connections Policy.



Increased Connectivity Between and Within Commercial Sites


Cross-access allows pedestrians and motorists to move easily from one site to another. When cross-access exists, automobiles can move between abutting sites without using the adjacent roadway system. Greensboro should consider provisions mandating vehicular and pedestrian cross-access connections that serve adjacent and surrounding developments. An incentive-based approach could also be used, whereby parking requirements are reduced in exchange for cross-access and the removal of curb-cuts on existing sites.

The updated regulations should address safe and convenient pedestrian circulation on and between commercial development sites. When feasible, vehicular and pedestrian traffic routes on such sites should be separated. The new regulations might, for example, require that protected walkways be provided so that pedestrians can walk safely from parking areas to building entrances. When pedestrian walkways cross a drive aisle, the ordinance could require that changes in surface texture, color and/or height of paving materials be used provide clear visual cues to motorists.

REVISE PRIVATE STREET PROVISIONS

In the current UDO, construction of private streets is allowed in some instances; and private street standards are lower than those required for public streets. Often, this is an attractive alternative to

the developer because it provides more flexibility in the design and construction of the street because certain provisions, such as required right-of-way (common area) and turning radius (how sharp a turn can be) are less restrictive than public street standards. These lesser construction and design standards result in denials for requests to convert private streets to public streets, despite widespread citizen requests and the ongoing maintenance of private streets has led to budgetary problems for many homeowners associations. Also, the City has found that some of these reduced requirements make providing services to these areas difficult. For example, garbage trucks and fire engines must have adequate clearance; turn radii; and connections to navigate the street system.

The City should impose the same standards for both private and public streets as a minimum. Reductions below these requirements could be approved through a clearly defined alternative compliance process (as is currently allowed for public streets “due to special physical constraints”)

ANTICIPATE THE LIVING NEIGHBORHOOD

The above discussion regarding current problems with private streets is one element of the larger range of issues that must be considered when the City anticipates how these neighborhoods will operate as living communities requiring daily (or regular) service and maintenance. Standards governing lots, streets, and blocks must be crafted to provide space for the initial utility installation and later maintenance access. In many portions of the ordinance, this will require balancing sometimes conflicting issues. For example, the use of alleys for waste collection and utility service may require right-of-way widths that provide clearance for sanitation vehicles and utility maintenance vehicles.

DEVELOPMENT STANDARDS

DEVELOPING WITH NATURE

Establishing Conservation as a High Priority


Throughout the public input process, residents, City officials, and staff have stressed the need for reasonable controls that offer better protection of streams, hillsides, woodlands, trees, and other natural resources. In addition to their essential ecological values, these resources help define the character of many areas of the City and are important quality-of-life assets for the community and its residents. However, it is important to note that there is less opportunity for conservation of natural resources in Greensboro's urbanized areas as compared to the suburbanized portions of the City.

The new ordinance should do more to ensure natural resource protection. In fact, we believe that the idea of developing with nature is one of the most important principles that can be advanced by updated land development regulations. Resource conservation and environmentally sustainable development practices should be a high priority that plays out throughout the new ordinance.

Directing Development to Appropriate Areas

Many tools—regulatory and non-regulatory—will need to be engaged to fully implement Greensboro's resource preservation goals. The new LDO regulations can certainly help advance conservation objectives. At the most basic level, the regulations can help to direct development to areas that can best accommodate it, meaning away from such critical features as steep slopes, floodplains, woodlands, wetlands, highly erodible soils and riparian areas. This can occur through the use of overlay zoning classifications, new or revised zoning districts, as well as through the revision of existing development standards.

Of course, when highly valued natural resources are located on private property, the new ordinance needs to be sensitive to the effect that any new conservation requirements will have on a property owner's ability to use land for economically beneficial purposes. In some cases, regulatory tools—such as the City's current cluster subdivision standards and density averaging provisions—will make it fairly easy to strike that balance. However, to address sites that have a very high presence of resources, additional development flexibility or incentives will likely be necessary to accommodate economically beneficial use of affected properties.

The consultant team recommends that appropriate standards be added to the new regulations to provide greater, more consistent protection of wetlands, woodlands, areas of significant vegetation and steep slopes (greater than 15%). At a minimum the updated ordinances should place a greater emphasis on upfront identification and analysis of critical resource features on proposed development sites. The regulations should also be modified to establish minimum levels of protection for all regulated natural resources. Expansion of the current stream buffer requirements to waterways not covered by North Carolina regulations is one such consideration. 

LANDSCAPING, BUFFERING AND TREE PROTECTION

To improve the quality of development in the City, the consultant team recommends modifications to the existing landscaping, planting yards, and tree protection requirements.

Multiple Options to Meet Requirements

Just as the Future Land Use map does not anticipate a uniform pattern of development across the City, neither should the landscaping requirements. The new LDO should provide for multiple options to satisfying the landscaping requirements, including clarifying the current alternative review process. Standards for buffers between uses should be developed using a new opacity (view-blocking) rating system that includes various plant material selection options, as well as the presence of berms, walls, or fences and the width of the buffer. This provides certainty, since the model establishes an opacity rating. This opacity approach would require removing the current regulations and replacing them with a new system. See also, Require More Sophisticated Buffers.

Consolidate Existing Provisions

Landscape and tree preservation information is available not only in Article 5 but also in the “Tree Preservation and Landscape Manual” available on the Urban Forestry website in Adobe pdf© form. This Manual is very readable and offers more detailed information than the UDO.


Also, other items related to landscape and screening should be included or referenced in this part of the Ordinance. Developers would then have a quick reference to all City landscape and tree preservation requirements. Currently, Article 5 addresses tree preservation, bufferyards, and streetyards. Sight distance triangles are referenced in another Article, screening for dumpsters in another, etc. etc.

The new LDO should include (or reference) the following all under one heading

- tree conservation requirements
- parking lot requirements
- streetyards and bufferyards
- dumpster & service areas screening
- utility screening
- sight distance triangles

Review the Streetyard Requirements

What is commonly seen along the thoroughfares of Greensboro are narrow frontages of plantings that have one tree every 50 feet with a row of evergreen shrubs between planted within 8’ - 15’ of the property line. While this does provide needed vegetation and tree canopy, it does not offer the opportunity for design variety. Also, with the an average streetyard width of 8’ as required by the UDO, there is little space to add sidewalks without impacting the growth of the required street trees or those required trees breaking up the walks as they mature. With the passages of bonds within the recent past, the City has begun to install sidewalks along many Greensboro streets. In cases where the right-of-way has been expanded, this has caused the removal of some existing streetyard trees and shrubs because they had been planted within the 8’ – 15’ streetyard.

During the ordinance review process, the drafting team will work to develop streetyard standards which allow for flexibility in meeting the intent of the requirements. The consultant team suggests raising the average streetyard requirement so that it is higher than the minimum streetyard required and reducing the minimum (for a limited length along the street) to provide for more creativity in design and enhanced preservation of existing trees on the site. 

Consolidate and Enhance Parking Area Landscaping

The current UDO contains a number of standards and requirements relating to parking lot landscaping, but they are located in several different portions of the ordinance. During the revision process, these should be consolidated to the extent practical. Additionally, the consultant team suggests the following enhancements:

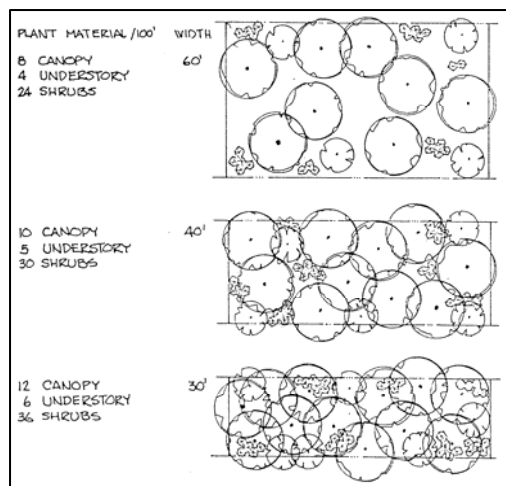
- A required landscape median per parking row; and
- The City should require a vegetative hedge, berm, or low wall around the perimeter of all parking areas. For better and more efficient collection, retention, conveyance, and pollutant filtering of storm water runoff, the use of a depressed planting median could be used in lieu of a raised tree island.



Depressed planting median could be used in lieu of a raised tree island.

Require More Sophisticated Buffers

There are factors that warrant specific buffer standards to achieve the intended performance of the buffer. For example, truck loading and waste areas associated with commercial uses need greater buffers than building height would require. Buffers should continue to be applied to achieve compatibility between nonresidential uses, recognizing the varying intensities of uses within the



Consider using a more flexible and rigorous buffer approach using opacity as the measure of effectiveness.

same or related districts. For instance, buffering is warranted between two commercial uses such as a contractors' equipment storage yards and a bank. A more rigorous bufferyard approach using opacity (the degree to which there is visibility through a specific buffer) as the measure of a bufferyard's effectiveness should be required.

The City should use the opacity approach in concert with a generative computer model. The model would be programmed with a mix of plant materials, such as canopy trees, understory trees, and shrubs. The model not only evaluates the effectiveness of a proposed buffer width, planting, and structure (i.e. fence, combination); it also calculates the amount and type of plant material to be provided.

Clarify Bufferyard Design Standards

Ideally, the vegetation and fence placement should be sited to offer the most screening to the adjacent property.

Because Greensboro is set in rolling hills, bufferyards often are set into slopes. The current ordinance does not specify where planting will occur within these sloped yards. Also, there is a provision that allows the addition of fencing to decrease the width of the bufferyard. Again, the placement of the fence and buffer vegetation is left to the designer. These items should be clarified in the ordinance to ensure that buffers are providing the protection they were intended to, without sacrificing the interconnectedness between uses. The construction and placement of walls and fences should not contradict walkability goals.

Consolidate Screening Requirements

The requirements for solid waste containers should be consolidated into a separate section addressing screening of these containers, as well as ground, building and rooftop equipment, and outdoor storage. Furthermore, consider requiring that the materials used to screen the containers match the primary material used on the principal building. It is also advisable to require 100 percent opaque self-closing gates to screen the solid waste containers.



Require 100 percent opaque self-closing gates to screen solid waste containers.


Enhanced Tree Preservation

The tree preservation ordinance could be made more effective by offering incentives to save tree stands. When tree preservation is required, developers have to save trees located in bufferyards and streetyards (or they can opt to conserve a corresponding area of trees elsewhere on the property). Often, when trees are saved within a streetyard, the resultant strip of trees retained can be very narrow. The appearance of these narrow strips of conserved trees is often not attractive and their survival poor especially if cut from a heavily wooded lot. Perhaps the new LDO could offer developers the option to save wider tree stands, not narrow strips of vegetation. In return, these stands would carry a heavier credit than those trees retained in bufferyards and streetyards.



Requiring a land use permit prior to site preparation would allow the City to monitor land clearing activities.

Some North Carolina communities take a stronger approach to tree preservation. To preserve existing native plants and material, there should be provisions (consistent with North Carolina Statutes and City regulations) incorporated into the existing grading permit process. The permit would allow a mechanism for monitoring land clearing activities. Subsequent requests for rezoning of cleared sites could be

subjected to additional requirements, such as re-establishing native plant communities or a mandatory waiting period before an application for a zoning change may be submitted. 

URBAN DESIGN AND MIXED-USE IN GREENSBORO

The current ordinance includes some standards that relate to urban design and to the mixing of uses. For example, some standards appear in the TN-1 district and others in the Pedestrian Scale Overlay District. Many of these standards are “form based,” in that they seek to establish a collection of buildings that have similar characteristics and that, when combined among several properties, create a desired street character. They typically seek to bring buildings up to a pedestrian walkway and reduce the visual impacts of automobiles. Where a mix of uses is also desired, they promote, and sometimes dictate, a mix.

Urban Design Standards

Many of the urban principles are ones that could, or should, apply more broadly throughout the City. As the more conventional zoning categories are reviewed, opportunities to include some of these ideas should be considered. In order to do so, this may require first writing a clearer

description of what the intended character is of these conventional neighborhood zones, in order to determine which form and design-oriented principles might apply.

A significant feature of most urban design principles is that they seek to build neighborhoods; that is to promote the interconnection of properties to function together as a network; rather than thinking of properties as isolated projects. Linking becomes as much a principle as is buffering or separating, which occurs frequently in conventional zoning districts. Examples are standards that require buildings to orient to the street, have visually interesting street levels, and locate cars away from sidewalks.

Urban Design Categories

In general, most urban design standards can be organized into these groupings:

Neighborhoods & Networks

These standards seek to link properties. They may include requirements to provide pedestrian connections between parcels, or among uses on a multiple building site. Providing cross-property connections for sidewalks and for internal driveways are examples. Asking that open space on adjoining properties be considered collectively may also be an urban design concept in this category. Streetscape design standards that seek to establish a sense of continuity for a neighborhood also fit into this category.

Site Planning

Many urban design standards fit within this category. They focus on how improvements are organized on an individual parcel. This may include standards for building orientation, location and design of parking and service areas, landscaping and outdoor uses. Screening, outdoor lighting, as well as a variety of “place-making” regulations fit into this category.

Building Design

Typically, these standards address building mass and scale, as well as form. They may also include some basic principles for character, especially as related to the street level. Requirements for display windows on commercial buildings, or porches on residences, are examples. In more “tightly” planned conditions, they may also address materials and even architectural features.

Miscellaneous

There is also a “catch-all” category, for a variety of items that relate to visual appearance. Some special sign regulations that seek to establish a consistent appearance, for example, sometimes fit into this category

Incorporating Urban Design Principles

Some of these principles may be relevant to the underlying zone districts, but presently are most notable in the TN-1 and Pedestrian Scale Overlay. These are important concepts, and are areas of development regulations that will receive increasing attention in the future. They should be re-thought very carefully and made more universal, to the extent feasible. Here are some suggestions:

Include some urban design standards in the underlying zone districts

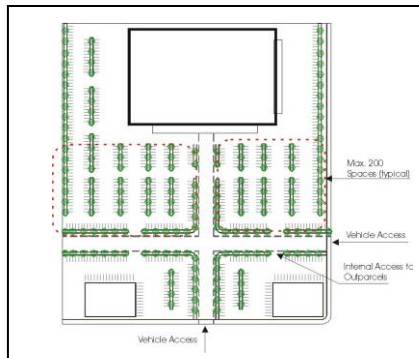
1. Develop intent descriptions for underlying zone districts, where applicable, that indicate anticipated character.

2. Then, include some basic urban design standards that would help to accomplish those goals.
3. In each case, a basic organization of those principles, such as the categories listed above, should be used.

For example, many of the ideas set forth in the Pedestrian Scale Overlay should be base standards in many of the commercial zones, and orienting entrances to the street could be a valid standard in many residential districts. At least make such principles the starting point, and then provide other options if they are not appropriate for the neighborhood.

Include some “place-making” principles in the Development Standards for all uses

Zoning as practiced in Greensboro (and most places) prevents the worst possible developments, but does little to produce high quality places.



To allow for the incremental redevelopment of big box sites, limit “parking rooms” to no more than 200 parking spaces.

For example, organizing buildings and parking into landscaped “rooms,” linked by well-planned pedestrian routes, is a basic principle that could apply to most areas. Make such standards the base condition, and then provide for alternatives where these principles cannot, or should not apply. At present, the best of these basic principles are only expected in the special overlays, not citywide.

This design approach has the added advantage of allowing for the incremental redevelopment of failed “big box” retail sites. The parking areas (or “parking rooms” as they are sometimes called) are divided into sections and connected to an internal system of roadways. These internal roadways should be laid out to match the surrounding street grid and allow for reintegration of the site into the surrounding community.

Restructure the mixed-use zoning opportunities

It is important to offer clear standards and incentives for mixed-use zoning. This is especially relevant to the Pedestrian Scale Overlay and the TN-1. If these are to be used more broadly, then a basic, overarching framework is needed to more clearly define them. The TN-1, for example, describes one very specific type of traditional neighborhood. However, there are sub-categories, or types that may be needed, that relate to the scale of the project, its geographic location and its relationship to surrounding properties. And, the guidelines are rather specific, in some cases, without first providing a foundation of the basic principles that the guidelines seek to achieve. Other mixed-use opportunities are described in some of the underlying zone districts, and many form-based principles could apply there as well. Some of the business district, for example, permit a mix of uses and could benefit from some of these standards.

Edit the Pedestrian Scale Overlay

A clearer organizational framework for the standards is needed. Otherwise, there is a risk that many will have similar, but slightly different organizational structures. Grouping standards into categories, such as those outlined above, would help. In essence, the organization of the material should itself guide one’s thinking about how to create a positive result, rather than simply listing standards in basic categories.

Transfer some of the PSO standards to more general applications. Many of these standards are ones that should be universal, or nearly so. Where feasible, they should be placed in the underlying zone

category or in the standards for all projects. Then, if some of those standards are particularly important to an overlay, emphasis or cross-referencing can be added.

THE ACCESSIBLE CITY

The Americans with Disabilities Act requires that all public facilities and most private commercial facilities provide adequate accommodation for persons with disabilities. Consequently, most every land use ordinance contains provisions governing the number and design of off-street parking spaces for persons requiring such accommodation. However, *accessibility* should extend beyond parking spaces to other considerations including the design of sidewalks and trails (adequate width, ramps, surfacing), crosswalks (change in surfacing, raised markers or other provisions to aid visually impaired), and location of transit stops (close to destinations).



ENHANCE OFF-STREET PARKING REQUIREMENTS

The City's existing parking ratios should be reviewed to accommodate contemporary parking trends and the City's urban development objectives. Greensboro should take advantage of this project to reexamine and make strategic revisions to current minimum parking ratios. In many cases this may mean specific recommendations for reducing minimum ratios.

As the ordinance drafting work moves forward, consideration should also be given to the use of variable parking standards that recognize that land use is but one consideration. Parking requirements can and should take other factors into account. Is the use located near a major bus route? Is the project aimed at providing affordable housing or housing for older people? Does a major employer actively promote the use of transit or ride sharing by its workers? These are but a few examples of considerations that should be taken into account in devising updated parking standards.

Develop an Alternative Parking Plan

An alternative parking plan will provide more flexible parking requirements by: 1) Allowing an applicant to change the required parking ratios; and 2) Enabling parking accommodations in new, less-conventional ways. In order to change the required parking ratios, the applicant would submit an alternative parking plan providing data from established sources such as the Institute of Transportation Engineers Manual justifying the alternative number of spaces. An applicant could also submit an alternative parking plan for a mixed-use development. The plan would be submitted by an accredited engineer, demonstrating how the development would meet all parking and circulation requirements.

Possible Alternative Parking Plan elements:

- Shared parking
- Bicycle parking
- Implementation of a carpooling or staggered hours policy
- Credit for on-street parking spaces
- Off-site parking
- Valet parking
- Proximity to public transit
- Provision of public transit amenities.

If the applicant incorporates a number of the above elements into an Alternative Parking Plan, then the City may give credits to decrease the allowable number of off-street parking spaces


Rethink Existing Parking Ratios

Many communities are implementing a maximum parking requirement in an attempt to reduce excessive paving often requested by large “big box” retail stores. The construction of too many parking spaces results in more stormwater runoff and disturbance of natural areas. The UDO currently requires a development to meet the minimum number of spaces specified. Maximum parking ratios are often handled as a percentage, allowing a reasonable range of parking above the minimum requirement. Providing parking over the maximum permitted, while allowed, would be based on documented need.

REVISIONS TO SIGN REGULATIONS

In general, Greensboro’s signage regulations are up to date and, except for the staff who administer the ordinance, there were few comments raised during the stakeholder input process. Regulations for billboard, or outdoor advertising signs, appear to be entirely consistent with judicial decisions on Durham and Raleigh ordinances. They are quite restrictive and appear to be working reasonably well. The master or common signage plan provision is an excellent one. It should be reviewed in the context of other procedural and plan review recommendations for the updated code but should be maintained in some form. Similarly, the Visual Corridor Overlay Zone is an excellent concept that may be updated or expanded somewhat in the context of this update.

The dimensional and lighting standards for signs appear to be carefully considered and rationally related to the size and scale of the related property and the buildings on it. Some changes in the table will be necessary to address problems noted by staff and issues identified during the drafting process, but the basic standards appear to be workable and reasonable.

Staff has expressed concern over the interpretation of a sign application for an Integrated Mixed Use Development (IMUD) when it is located in another district besides (or in addition to) the Shopping Center Zoning District. This issue will be explored further during the drafting process as well as the following issues where modest updates are appropriate to clarify the existing regulations or promote local goals and policies. 

Signs in the Downtown Area



Greensboro has clearly stated that reinvigorating the City’s downtown is a major goal. One aspect that adds to the feeling of energy and vibrancy is a well-lit urban environment that attracts pedestrians (and businesses to serve those pedestrians). Many types of signs were found on urban buildings up until the 1960’s. And many (nonconforming) signs can be found today, such as the sign on the historic Carolina Theater. During the drafting process, the sign regulations will be examined to ensure that they support the desired development activity in Greensboro’s downtown.

Exempted Signs

Under recent case law, the “exemption” provisions of the ordinance should be eliminated; some of the sign types listed can be moved to the “signs that do not require a permit” section; others should fall under a limited exemption “to the extent preempted by state or federal law or lawful order of a court of competent jurisdiction.” For example, the current ordinance exemption of any “governmental sign” may be construed to permit the erection of any sign type (of any size) when it is related to a governmental purpose. The problem is that some courts have ruled that the term “governmental purpose” is unclear and may even allow private citizens and other non-governmental

entities to erect sign proclaiming such things as “No New Taxes!” or similar messages, on any type and size of sign.

Content-Based Issues

Content-based distinctions should be included only when there is a “compelling” governmental interest (ideal situation) or at least a “substantial” one. The two types of content-based distinctions that the courts have clearly accepted are:

1. Distinctions between commercial and noncommercial messages; and
2. Distinctions between commercial messages that relate to goods and services offered on that site compared to messages related to goods and services offered at other locations.

At present, there are a limited number of signs that are defined based on content. For example: real estate signs, historical or memorial plaques or markers, and yard-sale signs can be considered to be regulated based on the content of the sign. Most of the City’s apparent purposes can be accomplished with careful drafting based on those two concepts (for example, yard sale signs and real estate signs would fall under a more general category of “messages relating to a commercial activity lawfully conducted on the premises, including the sale or lease of the premises”; a rule allowing such signs would also allow a sign for a lawful home occupation but would otherwise continue to prohibit most commercial signs in residential areas).

Changeable Copy Signs

The current ordinance allows electronic changeable copy signs the standards governing time limits on the frequency of changes in the Definitions section. This frequency standard will be reviewed during the drafting process to consider variable standards based on the roadway classification where such signs are located (for example, signs located next to a high-speed roadway may have different standards than those located in a setting which allows more pedestrian activity).

Flagpoles

The provisions relating to flags should be consolidated, and the City should consider adopting limits on the heights of flagpoles, numbers of flags and/or poles and the size of flags. The current “exemption” for certain governmental flags is most likely unconstitutional under current law, although it may have been acceptable when adopted.

Miscellaneous

It is unclear why the “distribution of advertising matter” and “advertising on streets” provisions are contained in the sign ordinance, which relates primarily to signs on private property. These would more properly be codified with other ordinances relating to the use of public streets and sidewalks. The lack of standards for the issuance of permits “for musical instruments to be played on the streets or sidewalks of the street,” however, is Constitutionally problematic, no matter how it is codified.

DEFINITIONS

ADD DEFINITIONS AS NEEDED

The update of the UDO will require definitions be developed as the drafting proceeds. New ideas are implemented, and they require new definitions. As mentioned throughout this report, other definitions have never been inserted. Our most common approach is to revise any and all definitions following agreement on the general ordinance language.

ELIMINATE OBSOLETE DEFINITIONS

Some of the City's definitions are now somewhat obsolete terms and should be revisited. Some simply need modest revision; other definitions should probably be deleted.

BROADEN THE APPLICABILITY OF CERTAIN DEFINITIONS

Currently, certain definitions are applied only to one section of the UDO. For example, many of the definitions currently reserved for the Traditional Neighborhood-1 (TN-1) District may be appropriately applied to a much broader context.

ILLUSTRATE AND MOVE CERTAIN DEFINITIONS

Illustrations for definitions are commonly moved to the actual topical areas of the ordinance. For example, it is useful to have illustrations of various types of signs—but these are best handled in the sign section, not the back of the document.

APPENDIX

SUMMARY OF REVIEW AUTHORITY

The following pages summarize existing development review and approval authority in the City. It is clear that consolidation of authority, including terms used to describe the decision-makers involved, will help reduce the complexity of the existing system. The term “Review” means that the body has review and recommendation authority only, and does not make final decisions. The term “Decide” means that the body has the authority to approve or deny the particular application. The term “Appeal” means that the body hears appeals on a decision made by a lower approving authority.

For example, an application for a **Comprehensive Plan Amendment** is *reviewed* by the Planning Board but *decided* on by the City Council.

Summary Table of Development Review and Approval Authority

| Procedure | Planning Department | Enforcement Officer | Greensboro Department of Transportation | Technical Review Committee | Environmental Management Commission | Advisory Commission on Trees | Historic Preservation Commission | Historic Properties Commission | Redevelopment Commission | Planning Board | Zoning Commission | Board of Adjustment | City Council | Multijurisdictional Development Ordinance Committee |
|---|---------------------|---------------------|---|----------------------------|-------------------------------------|------------------------------|----------------------------------|--------------------------------|--------------------------|---------------------|-------------------|---------------------|---------------------|---|
| Text Amendments | | | | | | | Review ¹ | Review ¹ | | Review | | | Decide | Review |
| Rezoning | | | | | | | Review | | | | Decide/Review | | Decide | |
| Original Zoning | | | | | | | | | | | Review | | Decide | |
| Minor Subdivision | Decide | | | Appeal | | | | | | Appeal | | | Appeal | |
| Major Subdivision | | | | Decide | | | | | | Appeal | | | Appeal | |
| Comprehensive Plan Adoption and Amendment | | | | | | | | | | Review | | | Decide | |
| Special Use Permit | | | | | | | Review | | | | Decide/Review | | Appeal | |
| Street Name Changes | | | | | | | | | | Review | | | Decide | |
| Street Closing | | | | | | | | | | Review | | | Decide | |
| Right-of-Way Encroachment | | | | | | | | | | | | | Decide | |
| Utility Easement Release | | | | | | | | | | Decide | | | | |
| Designate Redevelopment Areas | | | | | | | | | Review | Review | | | Decide | |
| Certificate of Appropriateness | | | | | | | Decide | Decide ² | | | | Appeal | | |
| Planned Unit Development-Sketch | | | | Decide | | | | | | | | | | |
| Planned Unit Development-Unified Development Plan | | | | Review | | | | | | Decide | | | | |
| Variance | | | | | | | Review | | | | | Decide | | |
| Special Exception | | | | | | | Review | | | | | Decide | | |
| Administrative Interpretation | Decide | Decide | | | | | | | | | | Appeal | | |
| Zoning Map Interpretation | Decide | Decide | | | | | | | | | | Appeal | | |
| Nonconforming Use Intensity | | Review | | | | | | | | | | Decide | | |
| Minor Watershed Modifications | | | | Review | | | | | | Decide ⁴ | | | Decide ⁴ | |
| Major Watershed Modifications | | | | Review | Decide | | | | | Review | | | Review | |

| Procedure | Planning Department | Enforcement Officer | Greensboro Department of Transportation | Technical Review Committee | Environmental Management Commission | Advisory Commission on Trees | Historic Preservation Commission | Historic Properties Commission | Redevelopment Commission | Planning Board | Zoning Commission | Board of Adjustment | City Council | Multijurisdictional Development Ordinance Committee |
|--|---------------------|---------------------|---|----------------------------|-------------------------------------|------------------------------|----------------------------------|--------------------------------|--------------------------|----------------|-------------------|---------------------|--------------|---|
| Grading Plan (Sedimentation and Erosion Control) | | Decide | | | | | | | | Appeal | | | | |
| Sign Permit | | Decide | | | | | | | | | | Appeal | | |
| Temporary Event Permit | | Decide | | | | | | | | | | Appeal? | | |
| Site Plan | Decide ⁵ | | | Decide ⁵ | | | | | | Appeal | | | Appeal | |
| Traffic Impact Study | | | Decide | | | | | | | | | | | |
| Zoning Vested Right | Review | | | Review | | | | | | Decide | | | Appeal | |
| Notes: ¹ Ordinance review limited to historic regulations. ² Historic Properties Commission decides C.O.A.s outside of designated historic districts. ³ Where assigned by ordinance. ⁴ Planning Board hears development plan applications in General Watershed Areas; City Council hears development applications in Watershed Critical Areas. ⁵ Planning Department approves Site Plans for developments, or additions to existing developments, of less than fifteen thousand (15,000) square feet of gross floor area and containing not more than eight (8) dwelling units in a single building; or uses of land without buildings or expansions of uses of land without buildings involving less than forty thousand (40,000) square feet. TRC approves all other site plans. | | | | | | | | | | | | | | |